

For his Grace the Arch Bishop of
by the Author.

AN

1608/3350.

ABRIDGMENT

OF THE

HISTORY

OF THE

Council of Constance.

With an Appendix concerning

M^R. O'LEARY;

IN WHICH

The absolute dispensing Power now
claimed by the Church of Rome is
laid open, in a Letter of one of the
Pope's, dated 1712.

By the Rev. PHILIP LEFANU, D. D.

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CHAP. I. †

DURING the space of forty years Europe had been torn by the factions of popes and anti-popes; each of them claiming exclusively the chair of St. Peter. They mutually excommunicated one another, and disturbed the nations with interdicts. This great schism, equally hurtful to church and state, was begun in the year 1378, by Urban VI. and Clement VII.

† I give notice, once for all, that I have followed the account given of this Council by l'Enfant; but the Catholic historians have been carefully consulted through this work.

It was continued by Benedict XIII. and Boniface IX. who succeeded the two last mentioned popes. Upon the death of Boniface, Innocent VII. was elected, and to him succeeded, in 1407, Gregory XII. The council of Pisa was assembled in 1409, to put an end to these disputes, but it served only to embarrass things still more. The fathers indeed deposed Benedict and Boniface, and elected Alexander; but the two former (who refused to appear at the council personally or by proxy) persisted in calling themselves the true popes, so that instead of two popes, which the Christian world had before, it now enjoyed three.

ALEXANDER V. having died in 1410, Balthazar Cossa was elected, and called John XXIII. The character of Balthazar will appear in the course of this history.

JOHN XXIII. soon perceived that he could never hold the chair in peace whilst the present schism subsisted, he therefore applied to Sigismond, king of the Romans, and afterwards emperor, for means of terminating it. He found this prince well inclined to the measure of calling a council; he wished to see the church united, but some temporal mo-



tives urged him on besides: The chief of these seems to have been, that this call would bring all the Christian powers together, and when he had them assembled under his eye, other schemes might, at the same time, be proposed and carried into execution.

MANY eminent men of that age, held that the emperor might call a council by his own authority, especially in seasons of schism, and when the church was to be reformed, beginning by its head. Precedents to this purpose were quoted, and treatises written on the subject. John XXIII. thought it more prudent to join the emperor in this measure, than to see it go on without the pope's assistance; and as the emperor was the chief promoter, the city of Constance was appointed for holding the council, an imperial city in the circle of Suabia.

THE pope's friends advised him not to go to Constance; "Beware," said they "lest you go in the character of a pope, and come home a private man." However, after having taken every necessary precaution with the emperor for his safety, during the journey and the sitting of the council, he set out from Boulogne on the first of October, 1414. He was re-

markably ill-tempered the whole way, which proceeded probably from some dismal forebodings. When he came to a mountain hanging over the city of Constance, "There," says he, "is the hole for catching foxes!" He arrived at Constance the 28th of October, attended with a magnificent train.

It soon appeared that Sigismond, with all the shew of respect and attachment for the pontiff, was firmly resolved to have him deposed, and that the pontiff, with all his zeal for the union and reformation of the church, meant no more than to go through some empty forms, and then to break up the council, and thus baffle all endeavours for such union and reformation.

WHEN the pope arrived he appointed the opening of the council for the first day of November ensuing, which was again twice adjourned, to the third, and then to the fifth of said month. Various causes were assigned for these adjournments, but the most probable one is, that the pope was waiting for the arrival of John Hufs: he arrived on the third. As he was a principal actor in this council, and was deemed by his followers to have obtained the crown of martyrdom at Con-

stance ; it seems proper to say something here of this extraordinary man, and of the doctrines which he supported.

IN giving a character of Huss we must steer between two extremes. On one hand the Catholic writers heap abuse on him, as they did on his successor Luther. They call him a bastard, a wine bibber, a rebel against church and state. His friends on the other hand, have raised him unjustly above the frailties of human nature ; he was rather subtile than eloquent, he understood the scriptures well, and was much versed in scholastic divinity ; his manners were certainly pure, his life irreproachable. He was however possessed of that restless spirit and fiery zeal that characterize the head of a rising sect. He was affable towards his equals, but in any thing which affected his favourite tenets, he was harsh, inflexible, impracticable. There is not a better test of a man's character than the letters which he writes to his intimate friends, where the heart speaks under the seal of secrecy. Those which he wrote at this time to his friends at Prague (although interspersed with invectives against the clergy and his judges in particular) yet favour of the greatest candour, simplicity and laudable

zeal. In short, in considering his character and that of Luther, we must still carry in mind that it was necessary for a reformer at that time to CRY ALOUD, otherwise his voice must have been drowned in the midst of that amazing sensuality and corruption into which the church had fallen. And this consideration may account for many harsh expressions and bitter sarcasms with which such works abound, and which now offend modern ears.

UNFORTUNATELY for Huss he had embarked in some party matters in the year 1409, respecting the anti-pope Gregory XII. which incensed the archbishop of Prague (a creature of Gregory's) to such a degree that he suspended him from officiating in that diocese, as guilty of schism. Huss also made himself many enemies by intermeddling in a dispute then subsisting in the university of Prague, between the Germans and Bohemians, which he got terminated in favour of the latter by his interest with the king of Bohemia. Huss, having now no rival in Prague, and being in the highest favour with government, began to speak and write very freely against the clergy and the court of Rome, supporting the doctrine of Thomas

Wicleff, which was afterwards condemn-
ed in the council, and raising him to the
character of a saint. This soon came to
the ears of Alexander V. who ordered the
archbishop of Prague to use all his dili-
gence in stopping these innovations. In
consequence of this, Wicleff's works
were publicly burned at Prague; the cler-
gy of that city were also forbid to preach
even in chapels privileged by the Holy
See. This particularly struck at Hufs,
who was soon after cited to appear at
Rome, before the succeeding pope John
XXIII. But the king and queen of Bo-
hemia, and the university, interceded
with the pope to excuse him from going
to Rome, on account of the many enemies
he might meet in his journey. However,
Hufs sent proxies thither to appear for
him, who were cast into prison, and
otherwise cruelly treated. Then followed
an excommunication against him, from
which, he said he appealed to his Saviour
Christ, and patiently waited for the open-
ing of the council.

BEFORE he set out for Constance, he
took every prudent measure for his safety.
He obtained letters dimissory from the in-
quisitor of the faith in Bohemia, testify-
ing his orthodoxy. He requested admit-

tance at a provincial synod, held then at Prague, and upon his being refused it, he had a writing drawn up by a notary, signifying this refusal, and witnessed in due form. He then posted up advertisements at all the churches and noted places of Prague, declaring his intended departure, and inviting all persons to attend his trial at Constance. He also obtained a passport from the emperor, which was received on the road to that city.

It may be proper to observe here, that John Hus was really a person of some character and consequence. He was descended from a good family in Bohemia, who gave him a liberal education. He took his degree of Master of Arts in the university of Prague, which was at that time the most flourishing seminary in Europe. Having left that place with reputation, he applied to the study of divinity; and was appointed confessor to the princess Sophia of Bavaria, afterwards queen of Bohemia. She was a woman of merit and accomplishments, over whose mind he obtained great influence, and through whom he made powerful friends at that court. In the year 1405, he was appointed preacher in the chapel of Bethlehem, where he was much followed, and

where he delivered those sermons which afterwards caused his condemnation.

As soon as Huss arrived at Constance, this event was notified to the Pope by two Bohemian noblemen, who had accompanied him from Prague. They informed the Pontiff, that John Huss was provided with a passport from the emperor; and in consequence of it claimed protection for him. They were received courteously, and addressed in these words: "Even if John Huss had killed my brother, I would not suffer any injustice to be done him during his stay at Constance." A person versed in the ways of courts, would have given little credit to such assurances; however, they lulled the unfortunate man into a fatal security until the appointed time of his sufferings came.

BUT now the council was opened, and there was a meeting of doctors appointed to consider of the order to be observed in their deliberations, and of the matters to be treated. Two very critical things were first to be debated, the union and the reformation of the church. The matter of union was to precede that of reformation. The intention of the council was to re-unite the church in the person of John XXIII. who had voluntarily

called the council in conjunction with the emperor, whilst the two other anti-popes, who had been deposed at the council of Pisa, stood off. But there followed another stinging resolution to the three Popes in general, which was, that this re-union was to be effected by the voluntary abdication of all the three, upon condition however, of ample rewards. It might naturally be supposed, that they would use every art to avoid such abdications; and therefore it was resolved, that if they did not pay a willing obedience, they should be forced to do it.

WHILST these preparations were going on at Constance, Huss, relying on the emperor's passport and the pope's honour, continued to support his doctrine very freely, both in words and writing; he also daily celebrated mass in his lodging, a thing said to be unlawful in an excommunicated person; and his mass was attended by a vast concourse of people. This alarmed the pope and cardinals, who fixed spies upon him, two of his own countrymen, who were jealous of his fame, and very desirous to earn preferment by his destruction. These persuaded the cardinals, that it was proper to take Huss into custody; accordingly, after having sum-

moned him to appear before them at the episcopal palace, and accused him of spreading many capital errors in the kingdom of Bohemia, which he flatly denied; they sent him to prison. Upon this John de Chlum, one of the Bohemian noblemen who had attended Hufs (and who proved himself ever after his warm and generous friend) went to the pope and charged him with manifest violation of the public faith, and of his own promise. But here he met with no redress; the pope threw the fault on the cardinals and bishops, adding these remarkable words: "What would you have me do? Am I not in the hands of these people myself?" De Chlum then offered to shew him the passport, but he did not seem willing to see it; however, it was afterwards publicly shewn to all who wished to peruse it.

As the Catholic writers strain every nerve to vindicate the conduct of the council, with respect to this passport, it is proper to dwell a little here. They tell us that it respected only the safety of Hufs's person during his journey to Constance, and not at all during his stay there. But this is a pitiful evasion, and contradicts the very words of the passport,

which are these, " The Emperor first orders all cities, towns, villages, &c. and in short all his loving subjects, to procure every kind of safety to John Hufs ;" and then follow these words, " Omni prorsus " impedimento remoto transire, stare, morari et redire libere permittatis." Surely this " redire" must mean his return from Constance to Prague †. But, say they, the emperor never meant to grant him impunity for crimes committed at Constance and in the face of the council. We answer, If Hufs had committed murder or felony at Constance, or on the road to that city, this argument would be plausible, but no such thing happened; he went peaceably thither, and confined himself to his lodging. There he was accused of two things only, not of a criminal nature, of supporting doctrines not yet examined or condemned; and of celebrating mass, which many Roman doctors assert he might lawfully do, although excommunicated. As therefore, John Hufs had not been guilty of any thing which could invalidate the passport granted him, and as he was imprisoned before

† Read the whole passport in l'Enfant, and the words are the same in all the Catholic historians.

he got a fair trial, we must conclude that there never was a more palpable and scandalous violation of public faith than his imprisonment.

To proceed: As John de Chlum found it impossible to obtain Huss's liberty from the pope, he wrote to the emperor concerning it, who was not yet come to Constance. He received this piece of intelligence with the highest indignation, and sent express orders to his ambassador to enlarge the prisoner, or in case of resistance, to break open the jail. But the pope and cardinals laughed at these threatenings, and refused to comply with the order. De Chlum then posted up a writing on the doors of the churches of Constance, declaring the emperor's commands, the pope's obstinacy, and protesting strongly against the injustice done to his unfortunate countryman.

Huss's enemies were now not less active in procuring his condemnation, than his generous friend had been in soliciting his freedom. They presented to the pope eight articles of accusation against him, the chief of which seem to have been these two: First, The denial of Transubstantiation; and Secondly, this bold assertion, "That the church ought to

have no property, and that temporal princes might justly seize it." It was affirmed in the memorial, that he taught these things publicly, with many others of a similar nature. This accusation had the desired effect; the pope granted a commission to three Bishops to try Hufs, and to swear the witnesses against him. They repaired to his prison, where they found him sick and weak; he requested to have an advocate to plead his cause, as he was not able to do it himself. This they peremptorily refused, upon a principle of the Canon Law, which says, "That no one can plead the cause of a person suspected of heresy." And as by another rule of the Canon Law, "Any witness may be heard against an heretic," we need not wonder that many of Hufs's brethren of the clergy, whom he had offended by his sermons and free speeches, now appeared against him. He complains in one of his private letters, that such a multitude of false and scandalous charges was exhibited, that he had scarcely power to answer them in prison, deprived of health, friends and books. It is easy for the reader to judge, from all these circumstances, of the result of the pope's commission to try Hufs and his doctrine.

Nothing was now wanting to the full splendor of the council but the presence of the emperor, who arrived at Constance the 24th of December, 1414. After a few hours refreshment he went to the cathedral, where the pope celebrated mass, and he assisted as deacon. The emperor read this part of the Scripture for the Gospel, "There came an edict from the emperor Augustus," which words the pope took as an ill omen. After this, Sigismund lost no time, but applied most seriously to the business of their meeting: In a general congregation of the pope, cardinals and bishops, he gave them an account of his negotiations with the two anti-popes, and engaged the council to wait for the respective legates of those prelates. He then entered into measures with them for the safety, order and convenience of the members of the council; and indeed when we consider the wonderful regularity and decency that were kept up during its long sitting, in a city of moderate size, which at this time contained an hundred thousand strangers of different ranks, we cannot but admire the wisdom of those regulations.

THE consideration of ecclesiastical affairs afterwards came on; the commissi-

oners in causes of religion, fearing least the passport granted to Huss should cramp the proceedings of the council, requested leave of the emperor to go on with their business. Their intention was by this to give free liberty to the legates of the two anti-popes (who had been proclaimed heretics in the council of Pisa) to come to Constance, but chiefly to prevent any obstacle to the prosecution of Huss from the emperor's passport. They received as favourable an answer as they could have wished; Sigismund declared the council free in matters of faith, and ordered them to proceed in causes of heresy. He added, that as to some threatenings which had been made in favour of Huss, his majesty did now forbid the execution of them, and would again forbid it if needful. Here it plainly appeared that the emperor was already gained over by some persons who had persuaded him that they could absolve him from a promise made to an heretic. Besides there was great meanness in this answer; for the threatenings here mentioned were his own threatenings, when he gave orders to his ambassador to break open Huss's prison. And hence we may justly conclude, that Huss fell a victim, not only to the envy

and hatred of his enemies, but also to the weakness, superstition and treachery of the emperor.

SINCE Sigismund's arrival, several congregations had been held respecting the union of the church. It has been already said, that the council thought that this good end could be obtained no other way, than by the voluntary abdication of the three popes. Gregory XIII. gave good grounds for expecting his. The emperor was preparing for a journey to Spain, where Benedict XII. resided, with a view to persuade him into this measure. The most difficult point was to bring John XXIII. into this way of thinking. With regard to him great management was necessary, lest upon some frivolous pretence he should break up the council. John seemed aware of his danger from several memorials which had been read in the congregations, some of which were held without his presence; however he was informed of every thing that passed in them. History says, that he spent immense sums in what is called secret service; presents, promises, threatenings were plentifully scattered. In the night he held assemblies of the prelates who were in his interest, and he easily got

what secrets he thought proper out of them, by absolving them from the oath of secrecy; he had also emissaries among the several parties to spread dissensions, and prevent their uniting against him, but unfortunately he was of too warm and open a temper; he frequently betrayed his own secrets, and consequently those of his spies. The council was often amazed to find the pope informed of measures which they thought impenetrable; some suspected persons were cited, others were obliged to flee from Constance. However the council was cautious in their proceedings, as it would have been dangerous to drive the pontiff into violent measures.

THERE was another rule made which contributed to hurt the pope's interest very much. It was resolved, that the council should vote by nations, and not by heads, as was the most general and ancient practice. This was levelled at the pope and cardinals, for as the two first points to be debated highly concerned them, there was reason to fear that they would make a vigorous opposition, and probably outnumber the opposite party. There were more prelates in Constance from Italy, than from all the other nations together, and several of them very needy. The pope

had gained over many of them, and bound others by oppressive oaths. Thus there would not have been the shadow of liberty in the council, if single votes had been taken as formerly; it was therefore decreed, by the emperor's influence, that the council should vote by nations, and as the Spaniards were not yet come, it was divided into four nations, the Italian, German, French, and English; and in the manner following the debates were carried on: Each nation chose a number of deputies, men of knowledge and character; partly ecclesiastics, partly laymen, with proctors and notaries; these elected a president, who was changed every month. Each nation then had a private meeting, where every one was free to propose what he thought proper. Such points were then communicated to the other nations, in order to obviate all exceptions and difficulties. Then a general assembly of the four nations was called, and if the measure received their unanimous approbation, it was subscribed, sealed, and carried into the next session of the council, there to obtain the sanction of a decree. According to this regulation, the council in public sessions did no more than confirm the acts of the four

nations which composed it. This method of proceeding prevented confusion and cabals; the pope had no reason to complain, for the Italian nation enjoyed the same privileges as the others, and the liberty of the council was established and preserved.

ABOUT this time a memorial was secretly presented to the council by an Italian, containing a list of accusations against the pope, John XXIII. A respectable historian of that time, without particularly naming these crimes, says, "That the list contained all the mortal sins, with an infinite number of abominations. The pontiff was frightened, and proposed to go and make an open confession of them before the council; "for," says he, "it is an established rule, that a pope can not be deposed for any crime except he resy." However, the cardinals dissuaded him from this, and his fright was his only punishment. The memorial was suppressed, least if the allegations in it were proved, it should render null and void every thing done by the pope since his election.

ALL the nations agreed in one point, to make him voluntarily cede the pontificate, and to this end they sent him a de-

putation. That same day he called a general assembly, at which the emperor was present, with all the prelates, princes and deputies of the nations. He there read to them a form of abdication, which, when examined next day, was found vague, obscure, and ambiguous. He was requested to amend this form, which he produced to them again with some slight alterations. It was again rejected. At last, a proper form was drawn up by the deputies of the university of Paris, and Gerson their famous chancellor. The emperor presented it to the pope, who most willingly received it, read it in public, and promised to acquiesce in it. He was immediately thanked for his ready condescension, by all the members present. Te deum was sung. Illuminations and other tokens of joy were seen thro' Constance; and a few days after, the emperor obliged him to issue a bull of abdication, in order to notify it to the whole Christian world.

AFTER all these solemn acts, it might have been expected that John XXIII. would have been faithful to his promise; but this was far from his intention. When he was requested to appoint a commission for settling matters relative to his

abdication, he refused it in the most angry terms. He used every means possible to corrupt the emperor; but this latter was on his guard. In short, when he found Sigismund and the council firmly determined to compel him to this measure, he resolved to quit Constance, thinking by this, to break up the council.

THE emperor soon heard of the pope's intention, and immediately set a watch on him. He had spies even in the pontiff's bed-chamber, to observe every movement. At length, fearing least all these precautions should be baffled, and an escape effected, he went to him, and made him many very favourable offers, upon condition of his staying at Constance. The pope solemnly protested, that he never would quit it until the council broke up. But the event shewed that there was an equivocation in this promise; and that the oracle, as usual, had spoken ambiguously, for the pope looked upon his departure, and the dissolution of the council, as one and the same thing.

THIS conversation between the pope and the emperor, served only to make the former hasten his flight. It was exceedingly difficult for him to effect it either by force or stratagem. However, the

following scheme succeeded: The pontiff prevailed on his protector the duke of Austria, to appoint a grand tournament for the 20th of March ensuing, at noon. In the morning of that day, whilst every body was making ready for this spectacle, the pope had time to prepare himself for his flight. Towards evening, whilst the city was intent on pleasure, he disguised himself as a groom, and passed through the crowd on a bad horse. He was muffled up in a coarse cloak, and a bow hung from his saddle. Thus he passed unnoticed, and soon got safe to Scaff-house, a city belonging to the duke of Austria, and consequently a place of safety to him.

UPON his arrival there, he wrote a letter to the emperor, which is worth inserting, as it shews that the good man could not help using falsehood and artifice, even when he thought himself safe.

“DEAR SON,

“By the grace of God, I am arrived
 “at Scaff-house, where I enjoy liberty
 “and wholesome air. I came hither
 “without the knowledge of my son the
 “duke of Austria; not with a view of

D

“ eluding my promise, to abdicate the
 “ pontificate in favour of the church of
 “ God, but, on the contrary, in order to
 “ execute it with liberty and health.”

C H A P. II.

THE sudden flight of the pope caused the highest consternation in Constance, but the emperor soon brought things into order. Next morning he went round the walls on horseback, attended by his nobles, and sounding the trumpet, made the following declaration: He first pledges his royal word to them, that every loyal subject shall enjoy the same liberty in the city as heretofore. He informs them, that the council is not dissolved by the pope's flight. He then exhorts the council to proceed in judging the said pontiff, according to his deserts, and according to the precedents practised by former emperors, in the deposition of popes. After this a general assembly of the nations was

called, and it was resolved, to send a deputation of three cardinals to Scaff-house, to wait on the pope, with a view of either prevailing on him to return to Constance, or to abdicate the pontificate.

BUT previous to the departure of these deputies, Gerson, chancellor of the university of Paris (a steady friend of the liberties of the Gallican church, and indeed of the civil and religious liberties of mankind) delivered a discourse, tending to shew the superiority of a council above a pope; and its power also of deposing him. It consists of twelve propositions, confirming this thesis. They are strictly logical, nervous, and bold beyond the spirit of that age. They served as a plan for the council to proceed on in every thing that was afterwards done with regard to the pope, and they were the origin too of that famous controversy which then sprung up, and is not yet terminated in the Roman church, whether the pope is superior to the council, or the council to the pope.

THE deputies of the council soon returned, well supplied by the pontiff with evasive answers, and doubtful proposals. These were all calculated to gain time, and sow dissensions among the members

of the council. The emperor and his friends seem to have been very sensible of these stratagems, and they resolved to pursue their intentions with vigour and speed.

Soon after this the pope thought proper, for the sake of greater safety, to remove himself from Scaff-house to Laufenburg. His protector, the duke of Austria, was threatened with war by the emperor. But before the pontiff left Scaff-house, he declared before a notary and witnesses, that he was compelled by fear to take certain oaths at Constance, which consequently he was not now bound to; and yet, at the same time he wrote letters to the council, affirming the contrary of this. Such proceedings determined the council to lose no time in the business of abdication.

ALTHO' the pope's affairs engrossed much of the council's attention, yet John Hufs was not forgotten. On one hand the commissioners, appointed for his trial, used every means to make him retract his errors; and on the other, his enemies were very active in aggravating them. Although in a jail, afflicted with sickness, and teized various ways, he kept up his spirits. He answered every proposition

made to him in private, but expressed a strong desire to be heard publicly. Whilst he was thus in suspense, between fear and hope, he was transferred from his first prison to the fortress of Gottleben, where he experienced more rigorous confinement, and keepers much less kind.

ABOUT this time arrived at Constance, a person called Jerom of Prague, the friend and colleague of John Hufs. This man, though younger than Hufs, surpassed him in address, learning, and eloquence. He had travelled through the most noted places of Europe, and had studied in the best universities. At his return to Prague, Hufs picked him up as a very fit associate for him in reforming the church and the university. The reason is not well known at present, why he did not accompany Hufs to Constance. Jerom deserved much better to be cited than the latter. The greatest excesses committed at Prague, were in the presence, and probably by the influence of Jerom, and after the imprisonment of Hufs. It is said that he dressed a prostitute in the habit of a pope, with a bundle of indulgences hanging from her neck. That he made her run about the streets in this attire, attended by some persons dis-

guised as friars, and then with his own hands burned the indulgences before the people. He had trampled relics under foot, had cast a monk into prison, and drowned another. Notwithstanding all this, Jerom was not cited to the council. Perhaps the emperor and the pope chose to make the most considerable of the two suffer for the excesses of both.

WHILST Hufs was preparing for his journey to Constance, his colleague, Jerom, exhorted him to support with firmness every thing which he had said and written concerning the corruption of the church. He promised also to meet him there in order to assist him. As soon as Hufs was imprisoned, he trembled for his friend, and wrote pressing letters to some of his party at Prague, requesting them to prevent Jerom from fulfilling his promise. But nothing could stop him. The moment he arrived at Constance, he was informed of the cruel treatment given to his countryman, and was told that something was intended against him also. He therefore left the city immediately, and retired to Uberlingen. He there wrote a letter to the emperor, begging a passport, which was refused. Jerom now thought proper to proceed home to Prague, but

on the road to that city he met with an accident, which shall be related in its proper place.

THE next session of the council, held in presence of the emperor, was fatal to the pope and to the papal power. The following articles were read in it and unanimously approved.

1st, THAT the pope is bound to abdicate the pontificate, not only in the several cases mentioned in the form of cession delivered to him, but also in every other case, where it appears that his abdication can be of real utility to the church.

2dly, THAT if he refuses or delays to comply, he is to be considered as legally deprived, and no man is to obey him hereafter as pope.

3dly, THAT his clandestine evasion is unlawful and prejudicial to the proposed union of the church. That he must be summoned to return to Constance to fulfil his promise, and if he does not comply he must be proceeded against as a favourer of heresy and schism.

4thly, THAT if he consents to return, he shall not be molested any wise in person or property, but shall enjoy full liberty

with the protection of the emperor and the council.

It is impossible to express more strongly the superiority of a council above a pope, than was done in this session. It was then resolved, That a general council represents the universal church, and receives its authority immediately from Jesus Christ; that is to say, without the pope's intervention. That the pope is bound to obey all the decrees of such a council without any exception. That the council has a perfect right to punish the pope if he disobeys. All this is supposed to relate to matters of faith, and to the reformation of the church, in capite et membris, which shews plainly that this doctrine is not confined to a council assembled in times of schism, but is extended to any general council. It has been said, that the council of Constance, during this session of it, could not strictly be called ecumenical, because all the nations were not then assembled, as they were afterwards. But the absence of one nation (the Spanish) and of a few individuals, can have but little weight in opposition to a council assembled by a pope and emperor, and called at the joint request of the whole

Christian world. Besides all the nations assembled afterwards, and approved all the acts done during this particular session. Therefore there can be no reasonable doubt of the council's having been truly ecumenical.

JOHN XXIII. having been informed of all these measures, thought proper to remove himself once more to a very strong place, belonging to the duke of Austria, called Fribourg. The strength of this place raised his spirits, and his pretensions too, for he sent from thence a memorial to the council, in which he refused to abdicate the pontificate, except on the following conditions: That the emperor should grant him a passport, which he (the pope) should draw up. That the pope should enjoy perfect safety in the council, both before and after his abdication. That an end should be put to the war carried on against his protector, the duke of Austria. That after his abdication, he should be Cardinal Legate perpetual all over Italy, and enjoy the greatest preferments in the church. This memorial confirmed the council in their opinion, that the pontiff aimed at nothing but to gain time, and to render all their deliberations ineffectual.

Nothing remarkable passed in the ensuing session, except appointing a deputation to wait on the pope, and request of him to name commissioners immediately for settling the forms of his abdication. Some very severe threats were added, in case of a refusal. There was also a passport (which was in fact a citation) posted up at Constance, for Jerom of Prague. It ran much in the way of all passports, except in one particular. He is promised in it every kind of safety, "as far as justice and the orthodox faith require." Had the unfortunate Hufs seen such a clause in his passport, he never would have gone to Constance; his friends would never have advised or permitted it. It is therefore a scandalous evasion in a Catholic historian to say, that this clause was understood in Hufs's passport. Such a dangerous salvo should be very plainly expressed. A passport is a temporary law, which must always have a plain and obvious meaning.

A few days after Jerom of Prague arrived at Constance in chains. He had been arrested in his way home to Bohemia, by order of the council, which had granted him a passport (as they affirmed)

to come to Constance, but not to return from thence.

THE council now saw clearly, that no good end could be obtained by treating with the pope in such a manner as they had done. It was therefore resolved to cite him and his adherents to appear at the council. The citation was in substance thus: Having first described his scandalous flight from Constance, he is required to come thither personally with his adherents, within the space of nine days, to justify himself from accusations of heresy, schism, and simony, besides many other enormous crimes. That to prevent all arts and subterfuges, passports should be granted to all persons concerned, who might enjoy perfect liberty at Constance, as far as justice permits. This citation was immediately served on the pope.

It may be matter of surprise, that John XXIII. is here accused of heresy, as no such thing was before alleged against him. But it has been already observed, that it was a maxim of the Canon Law, that a pope cannot be deposed for any cause except heresy: therefore, when a pope is to be deposed, he must be convicted of heresy some way or other. The

Canonists for this reason, lay down several cases which contain what they call heresy implicit; such as schism, simony, obstinate persisting in any sin. John XXIII. was certainly guilty of all these: nay, there is an ancient manuscript at Breslau, which informs us that he was publicly charged with having denied the resurrection of the body and eternal life.

IN the next session of the council it was resolved to condemn the memory of Wicleff, and all the articles of his doctrine. As his doctrine was the seed of Huf's's, it is proper to dwell on it and explain it.

WE shall begin with some account of the author. John Wicleff, or Wicliff, was born in Yorkshire, in the year 1324. He took his degree of doctor of divinity at Oxford, and was appointed professor of divinity in one of the colleges. He first distinguished himself by a steady opposition to the attempts of the Monks, who under pretence of certain immunities had violated the statutes of the university. He was afterwards appointed one of the seven commissioners, who were sent to Bruges, in the year 1374, to confer with the pope's commissioners on the affairs of RESERVATIONS. There was a treaty

concluded between them, in which the pope gave up all right to Reservations in England, for the space of two years; but he afterwards broke his promise. Whilst Wicleff was at Bruges, he had many opportunities of observing the arts and tyranny of the papal court; and when he returned, he inveighed most bitterly against them. In some of his manuscripts, now at Oxford, he calls the pope, "That insolent Priest of Rome! That Anti-Christ! That robber!" The monks, we may well suppose, were offended, and made a complaint to the pope, who appointed a commission to try Wicleff: but he had such powerful interest with the duke of Lancaster, and lord Percy, who were then the props of the throne, that this commission fell to the ground. Upon the death of Edward III. during the minority of Richard II. the parliament of England met to consider, whether the king had not a right to prevent the money of the nation from going to Rome. Wicleff was consulted on this head, and strongly maintained the affirmative. The year following he translated the Bible into English; in which he admitted no books as canonical, but such as are now allowed by Protestants. He then

publicly attacked the doctrine of transubstantiation, affirming that the consecrated wafer is neither Christ, nor any part of him. However, he was at last overpowered by the intrigues of Rome. A commission of twelve doctors, with the chancellor of the university, condemned his doctrine. This obliged him to make a sort of retractation, but a very ambiguous one. At length, finding he could stay no longer at Oxford, he retired to a country town, called Lutterworth, where he attended a cure, still continuing to write and speak very freely of the pope and the church. Here follow his remarkable expressions against the Crusades which were then going on, to promote the schemes of avarice and ambition of the popes: “ The standard of Christ Jesus, “ the great teacher of mercy and charity, “ is raised as a signal to Christians, to “ destroy one another, for the sake of “ two villainous priests. When will our “ proud pontiff grant plenary indulgences “ to engage men to live in peace and good- “ will, as he does now to promote war “ and massacres ?” Wicleff died in his retirement soon after.

BUT Wicleff's doctrine did not die with himself. Hufz tells us, that for the

space of thirty years after Wicleff's death, the university of Oxford read his works. This alarmed Arundel, archbishop of Canterbury, who issued a mandate, forbidding the sale of them. They were afterwards burned at Oxford and at Prague almost at the same time.

HOWEVER, these violent proceedings served only (as generally happens) to strengthen the rising sect. At length, Arundel applied to the pope, John XXIII. who condemned this doctrine at Rome in 1412, and the remains of Wicleff were by his order, taken up, burned, and the ashes thrown into the river, near Lutterworth.

THE next session of the council was taken up in condemning Wicleff's doctrine, which was reduced to forty-five articles as follows :

1st, THE substance of bread and of wine remain in the sacrament of the altar. This article is declared false, erroneous and heretical, by the authority of the Lateran council, and of St. Ambrose.

2d, THE accidents of bread do not remain without a subject in the sacrament. This article is treated by the council as

the former, which is confirmed by some very subtile logical reasonings.

3d, CHRIST is not identice, and in his corporal presence in the sacrament. This article is treated in the same way as the former two.

4th, A bishop or priest in mortal sin cannot consecrate or baptize. This article is declared rash and heretical, as it would tend to raise doubts concerning the whole ecclesiastical hierarchy.

5th, It cannot be proved by the gospel, that Christ Jesus ordered the celebration of Mass. This article is declared heretical. The doctors give no other reason for their censure, than producing the words of Christ at his last supper, by which they say that he celebrated Mass, and ordered his Disciples to do so likewise.

6th, God must obey the Devil. This article is condemned, as false and offensive to pious ears. Wicleff probably was not the author of it; it came from his enemies.

7th, If a man has not real contrition, outward confession is useless. This article is termed abominable and diabolical. This censure is founded on the words of St. James and of St. Matthew, on the authority of Peter Lombard, and on the de-

cretals, which command every person of either sex to confess.

8th, If a pope is a reprobate (præscitus) wicked (malus) and consequently a child of the Devil, he hath not received power from any one over the faithful, except it be from the emperor (a Cæfare). This proposition is declared heretical, because, First, Caiaphas prospered, altho' probably Præscitus. And Secondly, Because as men know not the decrees of God, there never could be any certainty of having a true pope.

9th, Since the time of Urban VI. (who began the schism) no more popes ought to have been appointed, but the church ought to have made laws for itself, as the Greek church does. This article is declared heretical, and destructive of sound morals, because it is contrary to the council of Pisa, which is accounted a lawful council; and because it tends to destroy the supposed uninterrupted succession of popes from St. Peter to the end of the world.

10th, It is contrary to Holy Scripture that the clergy should have any property. This article is called erroneous, heretical, and seditious. Various proofs are brought from Scripture, to shew that the clergy

may have property. These were well known, and have been applied on many occasions since. In another place Wicleff has qualified this bold assertion, saying, First, That tithes are not due jure divino, because it does not appear in the Gospel that our Saviour either paid them, or caused them to be paid. Secondly, In Wicleff's remonstrances to the king and parliament, he begged that tithes and offerings should be paid, as formerly, to men of character and learning only. This was a stroke at the mendicant friars. Thirdly, He would not have the poor oppressed on account of tithes. Fourthly, he says, That as the tithe is paid for instruction in religion, there are many cases in which the people may justly refuse to pay it. Upon the whole, he does not deny the reasonableness of the priest's living by the altar, even comfortably, but he censures severely the appropriation of parish churches to rich monasteries, which received the tithes, and appointed ignorant persons, at low salaries, to do duty.

11th, No prelate ought to excommunicate any person, if he does not know him to be excommunicated by God; and he who does it without such knowledge, is guilty of heresy, and is himself excom-

communicated. This article is termed rash, scandalous, and heretical, because it appears from the words of Christ, "Who-soever sins ye remit, and whatsoever ye shall bind on earth," &c. &c. that the sentence of God does not precede that of the church, but follow it: and because as God does not now make any particular revelations of his Will, it is impossible to know whether a man is excommunicated by God; and hence excommunication on earth would not be lawful in any case.

12th, He who excommunicates an ecclesiastic for appealing to the king or council, is guilty of treason against the king. This article is called false and scandalous. The reason is, that God has given a spiritual power to bishops, and that in this respect they are not subject to kings or any other power. Hence it is lawful for an excommunicated ecclesiastic to appeal from his ordinary to a superior judge ecclesiastical, but not to any temporal judge, because this would be an appeal from a superior to an inferior jurisdiction.

13th, Those who cease to preach on hear the word of God, on account of human excommunication, are themselves excommunicated, and will, at the great day, be looked on as traitors to their Saviour.

This article is called false and scandalous, because there are cases in which a bishop may forbid an ecclesiastic to preach, and a layman to hear him, under pain of excommunication, as when erroneous doctrines are spreading. Both the ecclesiastic and layman are bound to obey their lawful superiors.

14th, ALL mendicant friars are heretics, and those who give them alms are excommunicated. This article is called scandalous and heretical, because it would follow from thence, that Christ and his apostles were heretics, for they begged. They endeavour to prove this by the words of the 39th psalm, "I am poor" and in misery; where, they say, Christ speaks of himself in the character of a slave.

15th, DURING the whole time that a temporal lord, or prelate, or bishop, is in mortal sin, he is not a lord, prelate, or bishop. This article is declared false and heretical. Many passages of Scripture are quoted to prove this, and the examples of Saul and Solomon are produced, who were kings; of Caiaphas, of the Scribes and Pharisees, who were prelates, and of Judas, who was a bishop, although they were all in mortal sin.

16th, TEMPORAL lords may justly deprive ecclesiastics, who live in any habit of sin, of their property and lands. This article is called by the council (and indeed most justly) heretical and sacrilegious. The doctors allege, that the property of the church is the property of God, which he has set apart for the use of the church; therefore that it is no more lawful for temporal lords to seize the property of the church, than for the people of any state to seize the demesnes of the crown, on pretence of bad administration. It must be allowed that in this, and some of the following articles, Wicleff sounded the trumpet of sedition. He here invites every layman who has power, to strip the clergy, and, what is worse, makes the layman a judge in his own cause. The adopting such principles implicitly was the chief reason which induced the council to take away the lives of the two unfortunate friends, Hufs and Jerom.

17th, THE people may, if the please, correct their masters when they commit a fault. This article is called seditious and heretical. The doctors prove this by several passages of Scripture, and by the conduct of David towards Saul; however, they make an exception with regard to the

church, which, they say, may in certain cases, depose a pope, just as the empire may depose an emperor.

18th, TITHES are mere alms, and the people may justly refuse to pay them to sinful prelates. This article is very strongly reprobated; several well-known passages of Scripture are produced, to shew the divine right of tithes, and consequently the sacrilege of withholding them, even from an unworthy clergyman. It is, however, extraordinary, that the council does not expose the shocking partiality of this article against the clergy in another respect. For might not every layman, in this case, construe the slightest failings into sins, and some way or other make his parson a sinner, in order to deprive him of his dues?

19th, COETERIS paribus, the particular prayers which prelates or friars make for a man, are not more useful to him than general prayers. This article is called false and erroneous. Many passages of Scripture are produced to shew the necessity of particular prayers.

20th, HE who gives alms to a mendicant friar, is, ipso facto, excommunicated. The refutation of this article is put off to be considered in the next.

21st, WHOEVER enters into the Monastic state, whether it is among Mendicants or Friars endowed, renders himself by this act less fit to observe the commandments of God. This proposition is called false, erroneous, and heretical. The passage of St. John is produced, which says, that "whatever is in the world is the lust of the flesh, that of the eye, and the pride of life;" for, say they, Friars, especially mendicants, avoid the lust of the flesh by their vow of chastity; that of the eye by their vow of poverty; and the pride of life by that of obedience. The doctors tell us, that the words of Christ to the rich young man, are the foundation of the Monastic state.

22d, THE Saints who have instituted such orders, have, in this respect, committed sin. This and the 23d article, conceived in these words, "All those who live in the monastic state, are not Christians," are termed false, heretical, and erroneous.

24th, FRIARS ought to earn their bread by the labour of their hands, and not by begging. This proposition is termed false, rash and erroneous. The passage in which our Lord says, that "the birds of the air neither sow nor reap,"

is very absurdly brought in here by the fathers. Saints and monks are compared to birds who have taken their flight towards Heaven, and are no longer distracted by the cares of this world.

25th, ALL those are guilty of simony, who engage to pray for others for hire. This proposition is termed rash and heretical, because the labourer is worthy of his hire; and our Saviour has promised a reward to him, who would give even a cup of cold water to a disciple. The fathers assert, that there is nothing simoniacal in such engagements, provided St. Austin's rule be observed: To eat in order to be able to preach, but not to preach merely to procure the means of satisfying the belly.

26th, THE prayer of a bad man is of no use. This proposition taken in its full extent, is called heretical; for the church (say the fathers) would be in the most dangerous uncertainty about the efficacy of prayer offered up by any clergyman. What certainty can there possibly be of his good or bad character?

27th, ALL things happen by absolute necessity. This is called the heresy of heresies, the error of errors, the sea of vice. Several passages of Scripture are produced

to shew, that there are contingent events under Divine Providence.

28th, THE confirmation of young persons, ordination, consecration of churches, have been reserved to bishops and popes, through avarice and ambition. This article is also called false and heretical. Several passages of the Bible are very justly produced, to shew that the offices mentioned are reserved by God's appointment for the bishops.

29th, UNIVERSITIES and colleges, and the degrees that are taken in them, have been introduced by Pagan vanity, and are of no more service to the church, than the Devil is. This article is called false and heretical: 1st, Because the church has appointed colleges and universities for public good. 2d, Because they have produced many men eminent for piety and learning. 3d, Because both the Old and New Testament speak of doctors, which cannot proceed from Pagan vanity.

30th, WE must pay no regard to the excommunication of the pope, or any other prelate, because they are Anti-Christ. This is called by the council heresy and blasphemy. The divine authority of excommunication is proved by these words of Christ: "Tell it to the

"church," where, by the church (the fathers say) must be understood the ecclesiastical judge, not the general assembly of Christians, which never could be brought together for this purpose.

31st, THOSE who found Monasteries commit sin, and those who go into them are Devils. The same reasons are produced for condemning this article, which were mentioned in the 21st article.

32d, ENRICHING the clergy is contrary to the institution of Christ. This article is called false, erroneous, and heretical, for the same reasons that are mentioned in the 10th article.

33d, POPE Sylvester and the emperor Constantine, have erred in enriching the church. This article is condemned as scandalous and erroneous, for the same reasons that have been assigned in the 2d article.

34th, A priest or deacon may preach the word of God without authority from pope or bishop. This article is condemned as rash and erroneous. A decretal epistle is quoted, which forbids the laity to preach. Besides the fathers say, that such a practice would introduce heresies into the church. The 35th and 36th articles are the same as some of the former.

37th, THE church of Rome is the synagogue of Satan, and the pope is not the immediate vicar of Christ. This article is termed erroneous and heretical in all its parts. 1st, Because out of the Roman church there is no salvation. This the fathers prove by a decree of the Lateran council, which declares the Roman church to be the mistress of all others. Here it follows clearly (say they) that the pope is the immediate vicar of Christ. 2d, A certain pope, or a certain congregation of cardinals may be of the Devil, but it does not follow thence that the mystical body, the church of Rome, is the synagogue of Satan.

38th, THE decretals are apocryphal; they lead men astray from the faith of Christ, and the clergy who study them are fools. The first part of this article is said to be contrary to the decision of the church, and this is confirmed by the authority of several popes. The second point, that the decretals lead men astray, is called heretical, because the decretals support faith and discipline in opposition to heresy and vice. The third part, which stiles those FOOLS, who study them, is called a blasphemy, being injurious to the memory of several popes, who had ef-

established professors in the universities to teach the decretals. The same authority is given in this article to the decretals, as to the epistles written by the Apostles.

The 39th article coincides with the 10th, 32d, and 33d.

40th, THE election of a pope by the cardinals is an invention of the Devil. The fathers call this article heretical, although they handle it more tenderly than many others, because they did not intend that the cardinals should elect the future pope.

41st, IT is not necessary to salvation to believe the sovereignty of the church of Rome above all other churches. This article is termed false and erroneous, and the proof is taken from the decretals.

42d, To believe in indulgences is madness. This article is termed erroneous, and contrary to sound morals. As proofs they first produce this passage, "Whosoever sins ye remit," &c. Secondly, they tell us, This would prevent the pope and bishops, who are the spouses of the several churches, to dispense to their flocks the treasures of the church, the works of supererogation performed by martyrs, confessors and virgins.

43d, AUSTIN, Bernard, and Benedict, are damned, if they have not repented, for having instituted and endowed religious societies; and for the same reason, from the pope down to the lowest friar, are all heretics. For the reasons already given, this article is pronounced blasphemous, heretical, and irrational.

44th, THE oaths which are taken in suits of law, are unlawful. This article is called scandalous, and heretical; and this is confirmed by those arguments which are generally used against the Anabaptists.

45th, ALL monastic institutions whatsoever are the invention of the Devil. This article is declared false, and heretical, because one of these two consequences must flow from it, either that the Christian religion had the Devil for its author, or that Jesus Christ had not instituted religious orders,

ALL the foregoing articles of Wicleff were read and condemned. As to the author, the council declares that they have certain knowledge of his having died an heretic. They therefore blast his memory, and order his bones to be dug out of the earth, if they can be distinguished from

those of the faithful, and publicly exposed. It is worth notice, that this and some other remarkable decrees passed in the name of the council, without any mention of the pope.

THE reader will observe, that this condemned doctrine of Wicleff is, in many respects, the same with that which Luther maintained a century after. Wicleff, with respect to the Lord's Supper, is clearly a Protestant. Luther, by his consubstantiation, steers between the Protestant and Papist. Wicleff began by attacking transubstantiation, the most glaring absurdity of the Roman religion, and that of which they seem the fondest. Luther began his career by indulgences, because he met them first in his way; just as St. Paul, in his walk through Athens, met with the altar of the unknown God, and from thence took occasion to shew the folly of the whole Pagan theology. Wicleff is as severe on indulgences as his successor, and from his time to that of Luther, complaints continually multiplied on that head. This shews the falshood of that well-known charge against Luther, that his zeal proceeded from jealousy, because the Dominicans had obtained from the pope the sale of indulgences, in preference

to the monks of St. Austín, which was Luther's order.

IMMEDIATELY after this session, a citation was posted up at the gate of the city, out of which the pope had fled, commanding his attendance at Constance on a certain day. And in the ensuing session, upon the pope's not appearing, after a solemn call and proclamation made of his default, he was declared by the council, CONTUMAX. A commission was then appointed to hear witnesses against him, and finally depose him.

ANOTHER decree of great moment passed during this session of the council. It was declared heresy to give the sacrament to the people in both kinds; and this retrenchment of the cup the Roman church rigidly observes even to this day. It is well worth while to trace the rise and progress of this extraordinary change, in one of the chief articles of the Christian religion.

A few months after the imprisonment of John Huss at Constance, Jacobel, curate of the parish of St. Michael, at Prague, was thus accosted by a brother clergyman: I am greatly surprised that you have not perceived a capital error which has prevailed for some time in the church, that

is, the retrenchment of the cup in the sacrament, in contradiction to the very words of Christ, "If ye eat not the flesh of the
"son of man, and drink his blood."

JACOBEL, upon consulting the fathers, found communion under both kinds authorized by them. He then preached up the necessity of it, and used all his credit to promote this practice: and it soon became general through the city and the university. The orthodox clergy were alarmed, and Conrad, archbishop of Prague, excommunicated Jacobel. This only served to rouse his zeal, and make him more popular: and at last, they thought it prudent to appeal to the council then sitting, and to send Jacobel's works to be examined.

JACOBEL'S Thesis, as laid before the council, is the following: "It is as clear
"as day, by the authority of the Scrip-
"tures, by the decrees and canons of the
"universal church, that the holy commu-
"nion of the body and blood of Christ,
"ought to be administered to all Chris-
"tians under the elements of bread and
"wine, which practice cannot be annulled
"by any custom of the Roman church,
"be it ever so ancient, or by the decree
"of any pope or council."

THE following are the reasons given by the fathers against the practice enforced by the thesis.

IN order to shew that communion under both kinds, is contrary to the intention of Christ, they allege, that if he had intended it, he would certainly, at his Last Supper, have invited the Virgin Mary (who was more worthy of it than all the Apostles together) as well as the seventy Disciples, the master of the house, Joseph of Arimathea, Nicodemus, and some others, who generally attended him. And to the objection that Jesus says, "Drink ye all of this;" it is answered, that Jesus bids them all drink on account of Judas, lest St. Peter and the other Apostles should have fallen on him and destroyed him, if the cup had been refused him. They tell us, that the 6th chapter of St. John's Gospel, contains many strong arguments for communion under bread alone. And yet the 59d verse gives them some trouble: "If ye eat not the flesh of the Son of Man, and drink his blood." But they say, that these words were not addressed to the people, but to the Apostles, and their clerical successors. And besides that a spiritual, not a real communion, is meant here. As to that part of

the Epistle to the Corinthians, in which the institution of the Lord's Supper is related, the fathers say, that St. Paul relates no more there than what he had received from the Lord; that is, that our Lord had given his body under the symbols of bread and wine, to the twelve Apostles ONLY, whom he had before ordained priests, and who were to be the figures of all priests ever after.

AFTERWARDS the doctors answer the arguments brought from the fathers, for giving the cup, in the following manner: They do not deny that it was the custom in the primitive church, to receive in both kinds; but they say that this practice proceeded from two causes; some did it ex pia devotione; but as soon as they were better informed, they abstained from it. Others did it out of malice, such as Nestor and Pelagius. The doctors proceed to shew, that if the laity, in receiving, should happen to spill some drops of the blood of Christ, their crime would be almost as great as that of the Jews, who shed it on purpose. A pretended decree of pope Pius is produced, which says, that if the priest, through negligence, lets fall some of Christ's blood upon the napkin or the ground, such a priest must do

penance for forty days, and be, for a certain time, suspended from his office. And if the blood has fallen upon a stone, the stone must be scraped, and the scrapings carried to the altar. He must lick the napkin, or burn it. From these promises they draw a very extraordinary conclusion. If then (say they) priests are so severely punished for spilling by chance a drop of blood, if the napkin must be burned, *a fortiori*, laymen, who wet their beards or their cloaths with the blood of Christ, ought to be burned with their beards and their cloaths, and sent to Hell if they do not repent.

MANY other local and circumstantial reasons are given for refusing the cup to the laity. The blood of Christ might be spilled or lost, in carrying it to the sick over rivers and mountains. If the blood of Christ was preserved as they do consecrated hosts, it might turn sour. Many people too would be in danger of damnation, for they who could not taste wine, could not receive the sacrament.

HOWEVER the real cause of the prohibition of the council in this respect was, that giving the cup tends to overthrow their favourite article of transubstantiation. It is a principle with them that in the sa-

sacrament, the body and blood of Christ are contained under the Bread; and thence they infer, that the cup ought not to be given to the people.

It is proper now to shew the answers given by Jacobel to the arguments of the council. As to the first, that if Christ had intended that the sacrament should be administered in both kinds, he would have called the Virgin, and the seventy Disciples, &c. &c. He answers: It has not been proved, that she was not in the house that night, and did not receive the sacrament. For it is not a necessary consequence, that this is not so, because we are not informed of it in Scripture. And even suppose (says he) she did not receive the sacrament under both kinds, yet no inference can be thence deduced for taking the cup from the laity, because this ceremony was instituted for people infirm in faith, and inclined to evil, not for such persons as the blessed Virgin, or the seventy Disciples.

As to that part of the Epistle to the Corinthians, concerning the sacrament, which the fathers say, relates to none but the clergy: Jacobel answers, that this Epistle was written in general to the Corinthian Christians; the order respecting

the distribution of the cup, affects the laity as well as the clergy. Secondly, The precept in the context, "of diligently examining themselves," (or as it should be rendered, "approving themselves,") respects the laity as well as the clergy, for both may fall into sin. If then this latter precept was confined to the clergy, it would follow, that they were the chief sinners in Corinth, and it would cut off the laity entirely from the benefit of the sacrament. Lastly, The abuses committed by the Corinthians, and censured by St. Paul in these words, "Have ye not houses to eat and drink in?" were more probably the abuses of the people than of the clergy, and therefore the Apostle's whole address is to the people as much as to the clergy.

As to the authority of the church, and the respect due to it, the fathers of the council produce the words of Christ concerning the Pharisees, who are said "to sit in the chair of Moses; hear ye them." Jacobel answers, that the church is to be heard, whilst it supports such doctrines as are agreeable to the word of God, and no longer. Therefore we ought not to hearken to the church, when they refuse the cup to the people. The fathers then

quote the other noted passage in favour of the church, " Whosoever sins ye remit," &c. To which Jacobel answers, that the excommunication of the church will not be ratified in Heaven, except it be conformable to God's law, otherwise he thinks it will fall back on its authors; and hence he infers, that, although he was excommunicated, he had a right to preach and officiate, according to God's commands, because the excommunication was unjust, and in this, says he, I only follow the example of St. Chrysostom.

As to all local and circumstantial reasons for not giving the cup in the sacrament, Jacobel answers very justly, that since Jesus Christ and St. Paul, whose infinite wisdom could foresee all inconveniences, have, notwithstanding, instituted the sacrament under both kinds; the present church cannot pretend to be wiser than its founders. And since (says he) the primitive church (who enjoyed a larger portion of God's spirit than the present) made no such alterations, it is a great rashness in the present to attempt any such.

THE fathers challenge Jacobel to point out the time, in which the cup was

fused to the people. Here follows his answer, When the abomination of desolation, foretold by Daniel the prophet, first appeared in the sanctuary ; when iniquity began to abound, and charity wax cold ; when wicked and ignorant men began to pollute the sanctuary ; then the continual sacrifice under both kinds was taken from the people.

THE council (as has been observed) passed a decree for perpetually taking away the cup. However the matter did not terminate here, but was the cause, soon after, of a bloody and tedious war. There are two things very remarkable inserted in the decree: they tell us that the custom of receiving under one kind only, was of very long standing (diutissime). It had prevailed at most for two hundred years, and this not generally, nor without contradiction. What a small space of time was this, in comparison of 1200 years, during which the sacrament was always administered under both kinds !

THERE is also, in this decree, a prohibition of consecrating or receiving after supper. This seems to need explanation. It appears from an ancient manuscript, lately found at Breslau, that the Hussites and Wicleffites were accused of giving

and receiving the sacrament after supper, being intoxicated; of carrying about the wine to people's houses, and of holding conventicles in scandalous places. To correct these abuses, the decree orders the sacrament to be received fasting, which custom is kept up by many pious persons at this day in our church, although they cannot, in this respect, plead the example of the Holy Founder of this ceremony.

At this time the first public audience was given to Jerom of Prague. We have seen that he was arrested on his return to Bohemia, and sent back to Constance loaded with chains. When he came before the council, a letter was read to him from a German prince, informing them that he had arrested him as a heretic. The citation issued for him was also read. He was then asked by one of the fathers, why he fled? and then, why he had not appeared upon the citation? He answered, That he had fled, because he could not obtain the passport he had asked. And as to the citation, he protested, if it had come to his knowledge, he would immediately have returned to Constance. This answer was received with such a murmur in the assembly, that for some time no one could be heard. After this Gerson

(who had formerly known Jerom at Paris) charged him with having maintained some erroneous propositions in that university. Jerom said, that having taken his degree of Master of Arts there, he had only used the common privilege of disputation, of supporting either side of a question. Some other charges of this kind were made against him, to which he answered, "That he was not sensible of ever having said or written any thing erroneous, but that if it could be proved, he would gladly make a public recantation." When many of the council cried out, "To the stake! to the stake!" He replied firmly, "That if they wanted to take away his life, he was resigned to the will of God." "No, Jerom," said one of the bishops, "God wishes not the death of a sinner, but that he may repent and live." After this tumultuous examination, Jerom was delivered to the officers of justice, to be sent back to prison. But, a few hours after, one of the fathers had him conducted privately to one of the towers of the church of St. Paul, where he was chained to a post, with his hands fastened to his neck, so that his arms dragged his head to the ground. In this cruel posture he remain-

ed two days, before any of his friends knew of his removal. At last, one of them found him out, and got him better provided with food, instead of bread and water. However, he fell dangerously ill: thus he remained until his death, which happened a year after.

It is proper now to see what became of the pope, who was lately declared contumax by the council. The fathers proceeded to name commissioners for his trial: and a list of fifty articles of accusation, containing almost all the crimes which man can be guilty of, was presented to them. After a full hearing, John XXIII. was declared an hardened and incorrigible sinner, and unworthy of the pontificate. His seal was called for and broke before the council. His arms were defaced. Five cardinals were then appointed to go and inform him of his final demission. Upon their return from him, they reported that he had submitted to this decree with the greatest humility and resignation. The jesuit Maimbourg extols his behaviour on this occasion, as truly Christian and heroical. "Even," says he, "if this pope had thrice denied Christ, as St. Peter did, such a retraction would make amends for all!" What a shock-

ing parallel this, between an Apostle and a man convicted of the greatest crimes ! Besides, had he resigned the pontificate at Constance, when he was free and in full power, he might have claimed some merit. But the resignation of a person now in close confinement, and who had reason to fear something still worse, as the reward of his profligate life, had nothing heroical in it. The council shewed still greater detestation of him, for they removed him to the fortress of Gottleben, where Huss was kept. Strange vicissitude of fortune ! to see a clergyman in the same prison with a pope, who had procured his imprisonment for heresy ! The pontiff is now confined within the same walls, not only for heresy, but shocking immorality !

THE council then made two decrees, respecting the election of a new pope : the first forbids, under pain of eternal damnation, any proceeding towards an election of a pope, without consent of the council. The second orders, that none of the three deposed popes shall ever be elected again. And during this vacancy, the emperor assumed the administration of ecclesiastical affairs in Germany. He uses a remarkable expression, " That in

“ so doing, he only reclaims his ancient
 “ right, which the popes had extorted
 “ from his predecessors.”



C H A P. III.

THE deposition of the pope, who had always been averse to the union and reformation of the church, could not but accelerate these good ends. Besides, as the principle was now established, that an ecumenical council was superior to the pope, the vacancy of that chair must have rather hastened than obstructed any plans proposed.

As to John Hufs, the late examination of his colleague, Jerom, rather hurt his cause in the eyes of the council. Whilst he languished in jail, his enemies were busy in drawing up articles of accusation against him with malice indefatigable; and the Bohemian nobles were continually presenting memorials in his favour, which extorted answers from the council, who

were unwilling to give the prisoner a public trial: and in order to avoid it, they used all private methods of bringing him to a ratractation. They flattered, they threatened, and sometimes treated him with insult and arrogance. To all this Hufs gave the same uniform answer, "That he was willing and ready to submit to the council, as soon as they had shewn him that he had written or spread any thing of false doctrine."

IN his first audience before the council, all was confusion and tumult. It was therefore adjourned to another day, in which nothing final was concluded against him, but his patience was tried to the utmost. One of the fathers got up and endeavoured to entangle him in a metaphysical disputation, concerning the elements in the sacrament; but Hufs prudently waved it, saying, "That transubstantiation was a miracle, and therefore above reason." He was then accused of having strenuously maintained the errors of Wicleff in Bohemia. He replied, "That he had not taught the errors of Wicleff or of any other. If Wicleff," said he, "has spread his doctrine in England, let the English look to it." He was then asked, "Had he not turned Bohemia upside

“ down with his errors, and sowed the
 “ seeds of discord between the civil and
 “ ecclesiastical powers, so that many cler-
 “ gymen had been persecuted and stripped
 “ of their property, and that the univer-
 “ sity had been ruined ?” Hufs allowed
 that such things had happen in Bohemia,
 since the late great schism of the church,
 but shewed clearly that he was not the
 cause of them. The cardinal of Cambray
 then upbraided him with having said,
 “ That if he had not chosen to come to
 “ the council, neither the king of Bohe-
 “ mia, nor the emperor, would have been
 “ able to compel him.” “ I affirmed no
 “ more than this,” says Hufs, “ that I
 “ enjoyed the protection of so many Bo-
 “ hemian lords, that if I had thought
 “ proper to stay at home, they could have
 “ put me in a place of such safety, as
 “ would baffle the attempts of the king
 “ and the emperor.” The cardinal cried
 out, “ O, impudence ! impudence !” and
 a mighty murmur was heard through the
 council. The generous De Chlum was
 not daunted at this, but nobly supported
 his friend : “ John Hufs says the truth,”
 cried he, “ for I, who am one of the
 “ poorest nobles in that country, would
 “ pledge my life to defend him for a year

“ against all the forces of the king, or the
 “ emperor ; and how much more readily
 “ might it be done by others of greater
 “ wealth and power than me ? ”

AFTER some fruitless endeavours of the emperor to make the prisoner submit to the council, he was sent back to prison.

THE next day, Hufs was brought, for the third time, before the council, and twenty-six articles were read to him, extracted from his book, of the church, which was publicly taught at Prague. He acknowledged such of them as were his, others he cleared up, and disowned those which proceeded from the malice of his enemies. A few of those articles, and which gave the highest offence to the council, are the following :

IF he that is called the vicar of Christ, follows his precepts, he is indeed his vicar ; but if he does not, he is the messenger of Anti-Christ, the enemy of Christ, and of St. Peter, and the vicar of Judas. Hufs confirmed this article in all its parts ; and whilst it was reading, the fathers shook their heads, and looked at one another with great wrath.

THE cardinals are not the successors of the college of Apostles, if they do not live as the Apostles did. Hufs said, " That this proposition was proved in his works." Upon which, the cardinal of Cambray observed, " That Hufs had been favoured in his examination before the council, for that there were things of a more dangerous tendency to be found in his writings, than those now laid before him. Could you not keep up some decency in your sermons?" said the cardinal. " Ought you not to have suited your discourses to the character and capacity of your hearers? What need of abusing cardinals before a plain congregation? It would have been much better to mention these charges to their faces, than thus to expose them to the laity." Hufs answered, " That a church was a public assembly, into which a priest or a cardinal might go as well as a peasant."

THE next article read to Hufs was, Ecclesiastical censures are contrary to the spirit of Christianity: the clergy has invented them to keep the laity in subjection. These censures proceed from Anti-Christ. A proof of this is, that they are generally thundered against those who ex-

pose the malice of Anti-Christ. This article was allowed and defended by Hufs.

An excommunicated priest, of sound knowledge, and of good life, ought to preach, and he is bound, in this case, to pay no regard to the bishop's prohibition. The prisoner allowed this article, and confirmed it by the example of the Apostles, who say, "That it is safer to obey God than men." However he asserted, "That he meant, in this case, an unjust excommunication, contrary to the commandments of God." Why then did he not put in these restrictions at first?

A pope or bishop, whilst he is in mortal sin, is not a pope or a bishop. Answer, "I acknowledge this article, and I refer you for the truth of it to St. Jerom, St. Chrysostom, and many others. But though I allow the priest to be unworthy, yet I hold, that God baptizes and consecrates by his ministry. In the same sense I say, that a king in mortal sin, is not a king before God, although he may let him reign for the good of nations." When Hufs had said these words (which we must grant were very impolitic, and not very pertinent to the question) a cardinal called the emperor, who was conversing at a window with the

elector Palatine, and ordered the prisoner to repeat these last words of his. He did it, and then made a kind of apology to the emperor, who modestly answered, "That no man lives without sin." Here the cardinal broke out in the most violent rage: "It seems then you are not satisfied with degrading priests, but you must do the same to kings!" We may easily imagine what tumult this made in the assembly.

The next article: There is not the slightest reason for thinking, that the church militant must be governed by a single head, with whom she is always to have communion. Hufs allowed this proposition with some softenings.

ST. PETER was not the universal pastor of Christ's flock, much less the pope. Hufs explains this article by saying, "That each of the Apostles converted as many provinces and nations as he thought proper." St. Paul seems to have done more of this work than any of them. So that none of them deserves to be called the universal pastor exclusively.

THE censure which the council has passed on Wicleff's doctrine is unjust. This article was confirmed by Hufs. Many other articles now read to him, were

literally Wicleff's, and have been examined in a former chapter.

THE Apostles and faithful ministers of Christ governed the church very well, in all things necessary to salvation, before the office of pope was instituted, and they might go on successfully in this course, if there never was a pope. This article Huss strenuously maintained before the fathers.

AFTER this examination was over, as the council wished that the prisoner should submit, the cardinal of Cambray spoke to him in these words: " You see what
 " heavy charges are laid against you, and
 " now you must consider how to act.
 " The council can propose to you but
 " two methods, the first of which I
 " would advise. Either submit, in which
 " case you shall be treated with the greatest lenity, more especially in consideration of the emperor and the king of
 " Bohemia his brother, both here present.
 " But if, on the other hand, you require
 " to be heard again before us, and to
 " support any of the articles condemned,
 " the hearing shall not be refused. However
 " ever beware, there are many persons
 " here of knowledge and consequence,
 " who have urged such powerful argu-

ments against your doctrine, that I fear
 " dreadful consequences may follow.
 " These things I tell you, not as your
 " judge, but your friend."

THE other prelates joined the cardinal
 in this exhortation. Hufs requested to be
 heard before the council once more.
 " Then," says he, " if I do not justify
 " my doctrine, I submit with all my heart,
 " to be instructed by the council." " He
 " submits," says one of the fathers, " to
 " the instruction, but not to the censure
 " or decision of the council." " Well,"
 answered Hufs, " call it what you please,
 " censure, instruction, or decision ; I take
 " God to witness, that I speak without
 " equivocation." The emperor then
 addressed him in the most gentle and
 soothing terms, assuring him that such a
 form of retraction should be drawn up,
 as he could not object to. All this, pro-
 vided he agreed to submit on any terms.
 Hufs still persisted that it was criminal
 and scandalous, to say that he renounced
 errors, when he never maintained any.
 Many other accusations of various kinds,
 were trumped up against him, until his
 powers of body and mind were exhausted.
 He was then sent back to prison, whither
 De Chlum followed him. " What plea-

"sure did I feel," says Hufs in a private letter, "to see the noble John De Ohlum
 "deigning to lend his arm to a wretched
 "forlorn heretic, in chains and in pri-
 "son."

As soon as Hufs was gone, the emperor delivered his opinion to the council. He said, "That the prisoner had been
 "clearly convicted of holding and spread-
 "ing most dangerous errors, any one of
 "which, he thought, deserved the stake.
 "If then a submission was not made, it
 "was his opinion that Hufs should be
 "burned. And if he did retract his er-
 "rors, he should be prohibited from
 "preaching, especially in Bohemia." He
 concluded by saying, "That if Hufs had
 "any friends or followers in Constance,
 "they ought to be treated with severity,
 "especially Jerom of Prague."

NOTWITHSTANDING these alarming resolutions of the council, Hufs stood firm and declared, "That he would rather
 "have a mill-stone tied about his neck,
 "and himself cast into the sea, than that
 "he should become a scandal to his flock,
 "by a retraction." It appears by some of his private letters, that he was powerfully solicited to this by many persons, who were so certain of succeeding, that

the sentence to be pronounced on him, if he submitted, was drawn up, and has since been found in a manuscript at Leipzig. In this latter case, he was to have been degraded and imprisoned during life. But he never made any kind of submission, as some historians have asserted; and yet there was nothing of the stoic in his behaviour. He still kept up the vigour of his mind by prayer and meditation. These are his words on this subject: "Far be it
 " from me to say, with St. Peter, that I
 " shall never be offended in Christ, al-
 " though others should; I have infinitely
 " less zeal than that Apostle. Perhaps too
 " I have greater trials than he had. I put
 " my whole trust in God, and am resolv-
 " ed, when I hear my sentence, to persist
 " in the truth, even unto death."

ANOTHER attempt was made on him, to bring about a retraction. The emperor much wished for it, as he foresaw that the treachery practised in regard to the passport, would be an indelible stain on his character. It was resolved to burn Huss's works publicly. This emblem of the author's approaching fate, they thought, would terrify him, or he might perhaps be softened by a paternal tenderness for his own productions. However, his constan-

cy was never shaken by this stratagem.
 " Why should not my works," said he,
 " meet with the same fate as those of the
 " prophet Jeremiah. The Jews burned
 " them, but this did not avert the dread-
 " ful calamities denounced by him, which
 " afterwards fell upon that people. And
 " in the time of the Maccabees, the book
 " of the law was burned, and those were
 " put to death with whom it was found."
 There are many humorous reflections in
 one of his letters, written to a friend at
 Prague about this time. " The council,"
 says he, " have condemned the pope a-
 " mong other things, for selling indul-
 " gences, bishoprics, &c. &c. But this
 " is a crime of which the members of the
 " council themselves are guilty, for many
 " of them buy from him, in order to sell
 " again to others. The bishop of Leito-
 " missel has bid twice for the archbishop-
 " ric of Prague, at the council; but ano-
 " ther has outbid him. Why should the
 " seller be excommunicated and not the
 " buyer? I wish God had said in the
 " council, Let him who is without sin
 " pronounce the sentence against the pope.
 " I believe they would all have walked
 " out without saying a word."

Soon after the emperor, as a last effort, sent four bishops to Hufs, with his friend De Chlum, to move him to a submission. This latter spoke to him in the following words: "Dear Hufs, I am an unlearned man, and incapable of advising such a person as you; yet, if you are conscious of having held any of those errors laid to you charge, I beseech you, be not ashamed to confess and retract them. But if, on the other hand, you are innocent, far be it from me to advise this measure. Suffer any thing rather than violate the truth." He replied, with a flood of tears, "That he was and always had been ready (as he took God to witness) to renounce any error of which he could be convicted by the authority of Scripture." "For my part," says one of the bishops, "I would not prefer my private opinion to that of a council." "So far from that," answered Hufs; "that if the lowest person of it could convict me of any erroneous opinions, I would submit." They still told him he was very obstinate. He was then totally deserted until next day, the day of his condemnation, and the last of his life.

On the morrow the archbishop of Riga brought him before the council, where the

emperor was present with all the princes of the empire, and a multitude of spectators innumerable. The apparatus of the condemnation was very awful. A high table was placed in the middle of the church, on which were laid the sacerdotal vestments, in order that the prisoner might be clothed with them, and afterwards stripped of them. At the foot of the table was a stool for Huss to sit on; it was rather elevated, that the whole assembly might see him. As soon as the prisoner was brought to it, he made a long prayer, probably in a very low voice; for a bishop began immediately to preach on these words of St. Paul, "That the whole body of sin might be destroyed." This sermon was intended to announce his condemnation, as it ended with these remarkable words, addressed to the emperor; "Cut off all heretics, but especially that obstinate heretic, John Huss."

The first thing done was to condemn a great number of articles extracted from the works of Wicleff, which (as has been observed) were the seeds of Huss's doctrine. They then proceeded to read other articles, extracted from Huss's works, but when he was preparing to answer each point separately, the cardinal of Cambray

silenced him, and told him that he might
 answer them all together. He replied,
 "That this would be impossible." Up-
 on which the officers of the council were
 ordered to hinder him from speaking. "I
 request you to let me justify myself be-
 fore the people," says he, "and then
 dispose of me as you please." The
 council persisted in a refusal. He then fell
 on his knees, and in a prayer, which he
 pronounced aloud, he appealed to the So-
 vereign Judge of the earth. Two accusa-
 tions were then brought against him, his
 appeal to Jesus Christ, and his contempt
 of the pope's excommunication. As to
 the first, he said, "That in this he had
 followed the example of Christ himself,
 who had appealed to his Father, the
 just Judge, who cannot be surprised or
 misled. And as to contempt of the
 pope's power (he said) he never had
 shewn any. That he had only appeal-
 ed from it. That he had sent proxies
 to Rome, who were cast into prison. I
 did every thing that was legal and pro-
 per," cried Huss, "therefore I feared
 not to come to Constance, on the faith
 of the emperor's passport, who is here
 present." Whilst he was saying these
 last words, he fixed his eyes on the empe-

ror, who changed colour. With regard to this circumstance there is a bon mot related of Charles V. when he was solicited, at the diet of Worms, to arrest Luther, in violation of a passport which he had granted him: "No, no," says Charles, "I should be sorry to change colour as my predecessor, Sigismund, did at Constance."

AFTER these proceedings, two sentences were read: the first ordered Huss's works to be burned; the second, himself to be degraded. He then took God to witness his innocence, and prayed forgiveness for his judges and accusers. All this was received with raillery and indignation. They then proceeded to the degradation. The bishops (who are always appointed to this office) put the sacerdotal vestments on him, and made him hold the chalice in his hand, as if he was going to say mass. They all then exhorted him, with one accord, to retract his errors. Which (turning to the people) he positively refused. Then the bishops took the chalice out of his hand, pronouncing these words, which are in the form of a degradation: "O Judas accursed, who hast abandoned the council of peace, and entered into that of the Jews, We take this chalice

“ from thee, which contains the blood of
 Christ. Upon which Huf cried out,
 “ That he hoped, by the mercy of God,
 “ to drink of that cup, that very day, in
 “ Christ’s kingdom.” Each of the vest-
 ments was then stripped off separately,
 and some particular curse pronounced, ac-
 cording to the form. They had then a
 long dispute about the manner of taking
 off the tonsure. At last they cut his hair
 in the form of a cross, that no mark of
 the crown might remain. The Canon
 Law says, that this last act puts a priest
 on the footing of a layman; although it
 does not take away the character which
 is indelible, yet it incapacitates him from
 ever doing any of the offices of the priest-
 hood. They then put a paper crown on
 his head, on which three Devils, of a
 most frightful figure, were painted, with
 this inscription, “ The Herefiarch,” and in
 this state his soul was devoted to Satan.
 Huf smiled, and said, “ That he bore
 “ that opprobrious crown with joy, thro’
 “ love of him who had worn one of
 “ thorns.” From that moment the church
 gave him up, as a layman, to the civil
 power, which consigned him to the of-
 ficers of justice, and the executioner; and
 these were commanded to burn him in

his cloaths, just as he stood, without taking any thing off of him, for fear of pollution.

JOHN HUS walked to the place of execution, between two officers of the elector Palatine, who had the command given him on this memorable day, by the emperor. Two executioners went before, and two behind the prisoner; the princes of the empire followed, with a guard of eight hundred men. He was made to pass before the episcopal palace, that he might see his works burning; which only drew from him a smile. Whilst he walked in the procession, he still told the people that he was not going to suffer for any heresy proved against him, but that he was falling a victim to the cruelty of his enemies. When he came to the place of execution, he kneeled down and repeated two of the penitential psalms. Some of the people exclaimed, "What this man is guilty of we know not, but he offers up most excellent prayers." He then called for a confessor. There was one brought to him, but he refused to act, except Hus retracted his errors. But he, hearing this, said, "He wanted no confessor, for he was not conscious to himself of any guilt." Upon this occasion, he attempted to speak to

the people, which the elector Palatine prevented, ordering him immediately to be burned. He then cried out with a loud voice, " Lord Jesus, I bear with patience this cruel death, for thy sake, and I pray thee forgive my enemies." Whilst he raised his head saying this, the paper crown fell off, which the soldiers carefully took up, and put again in its place. " Let it be burned," said they, " with the devils which he worships." He was then tied to the stake, with his face turned to the west, because he was an heretic. As soon as the wood was settled about the stake, the elector and another prince came up to him, and exhorted him, for the last time, to retract his errors, in order to save his life. Hufs answered, " That he joyfully sealed whatever he had wrote or taught, with his blood." The pile was then lighted, and he was heard for some time, in the midst of the flames, imploring the mercies of God, until the fire and smoke suffocated him.

THIS was an awful sight to an immense crowd of spectators ; but what must have been the feelings of the generous De. Chlun !, especially when he saw the soldiers, with savage ferocity, tearing his friend's heart and other parts of his body,

as they fell, and throwing them back into the flames. The historian, like the painter, must throw a veil over De Chlum's countenance, from the impossibility of expressing his anguish. Let it only be observed, that history gives no instance of friendship, founded on such exalted principles, and carried almost beyond the grave.

THE reader may now easily gather what were the real causes of Huss's condemnation. First, He refused to join in the general outcry against the doctrine of Wicleff. On the contrary, he had spread this doctrine, and spoke of its author with the highest encomiums. The members of the council were as sensible as Huss, of the necessity of reformation in the church; but they could not endure the thought of correcting abuses which brought in large sums of money, and they knew how to act a trimming part, which was not Huss's talent. Secondly, Huss had, by his preaching and his writings, caused great tumults and confusion in Bohemia. Had he been let loose again, perhaps he would have carried the spirit of reformation as far as his successor Luther did in the next century. Huss says in one of his letters, "That he is not yet at

all satisfied with the improvements in religion he has already made," and talks of extirpating Anti-Christ. For this reason the emperor ordered, that if he did retract his errors, yet he should never be allowed to return to his native country.

About the same time another very extraordinary affair came before the council, which concerned all the sovereigns of Europe. This was the doctrine of John Petit, a divine, and retainer of the duke of Burgundy. His doctrine was, "That a private man might kill a tyrant openly, or by stratagem, without any commission whatsoever, without trial, and notwithstanding any agreement made, or promise given to the contrary." In order to make the reader understand this matter, it is necessary to lay before him a piece of history.

DURING the illness of Charles VI. king of France, that kingdom was convulsed by the factions of some great men, who were grasping at power. The chief opponents were, Lewis, duke of Orleans, the king's only brother, and John, duke of Burgundy, the king's uncle. These princes, during the contest, were often reconciled, and as often broke out again. At last, the duke of Burgundy thought

proper to get the duke of Orleans assassinated. The former was in consequence obliged to quit the Kingdom, but as he had a strong party in it, and was very popular in the city of Paris, he soon after returned, having obtained leave from the king; his cause was pleaded in due form by John Petit, in presence of all the nobility of France. This pleading was called the justification of the duke of Burgundy; it is very curious, and may be found in L'Enfant's history of the council of Pisa.

PETIT gained his point thro' the great weakness of the king, and the interest of his patron. Next day a pardon was granted to the duke of Burgundy, and he was restored to the king's favour. However, some time after, whilst Burgundy was absent, the widow of the duke of Orleans demanded justice for the murder of her husband, and satisfaction for the calumnies heaped on his memory by Petit. This cause was also pleaded publicly, and the king of France annulled the pardon he had given, and declared the duke of Burgundy an enemy to his country.

AFTER many altercations, a war broke out between the sons of the duke of Orleans and the duke of Burgundy, which

was terminated by an insidious peace in the year 1412; and the former party finding themselves at this time stronger than the latter, they attempted, once more, the condemnation of Burgundy, and of his retainer's doctrine. The university of Paris joined them in this, and sent their famous chancellor Gerson to the king for this purpose. In consequence of this, a commission for trial was appointed by the king, and Burgundy and Petit's doctrine were solemnly condemned.

ALTHO' nothing could be more just than the condemnation, yet it met with strong opposition in France, and especially in the university of Paris, which seemed at first to approve it. The king therefore ordered a deputation of respectable persons to go to Constance, and have the matter canvassed there. However, the usual irresolute conduct still subsisted in the French court. The king wished to see the doctrine condemned, but without incensing the duke of Burgundy. This brought on an agreement between the king and duke, that neither of them should appear in the cause as parties, but that they should order their respective ambassadors at Constance to manage it; and this appoint-

ment gave room to many arts and delays on both sides of the question.

A commission was immediately formed by the council, consisting of four cardinals, with four persons more out of each nation, with power to try the cause, and give sentence on it. As is usual in such affairs, one side strove to bring the cause to a hearing, whilst the other, conscious of its injustice, used every method of delay and procrastination.

IN this session Gregory XII. one of the anti-popes, abdicated the popedom by proxy, and was appointed cardinal bishop of Porto.

THUS John XXIII. having been deprived, Gregory XII. having ceded the chair, the union of the church was impeded only by the obstinate Benedict XIII. the third anti-pope, who refused to hearken to any accommodation. The fathers made a decree against him, holding him up to the Christian world as a disturber of the peace of the church, the author of schism, and ordering, that for the time to come no respect or obedience should be paid to him as pope.

C H A P. IV.

IN the former part of this history, we left the unfortunate Jerom of Prague in a prison, where he was visited with sickness. The very day of his committal he underwent a severe examination with the greatest calmness and presence of mind. Immediately after the death of Hufs, he was examined again, for they had reason to believe, that the dreadful example before his eyes would render him more flexible. But this expectation was vain. The same fortitude of mind was still displayed.

WHEN the news of Hufs's execution reached Bohemia, we may well suppose that it caused great confusion and tumult. It was like oyl thrown into a blazing fire (say the historians of that time). Hufs's flock, consisting of the king and above sixty nobles, met in his beloved chapel of Bethlehem, to confer the honour of martyrdom on their late pastor, and on Jerom of Prague, who, they supposed, had shared the same fate. The names of butchers and murderers were not spared to the fathers of the council. A very violent let-

ter was agreed on, and a deputation appointed to carry it to Constance. After extolling the piety of Hufs, and the eloquence of Jerom, for he was (say they) "*eloquentiæ lacteo fonte manans*," they conclude, by giving the lie to any person, except the emperor, who shall charge the kingdoms of Bohemia and Moravia with errors or heresy.

THESE tumults in Bohemia caused the council to endeavour to make Jerom retract his errors, for they wished not, if possible, to shed any more blood. And they worked him up by promises and menaces, to subscribe a paper, in which he approved the condemnation of the errors of Wicleff and of Hufs. He allows in it, that he had been the friend of the latter, but not of his errors, when he had maturely considered them. However, his tenderness for the memory of Hufs, was the cause of some ambiguity in this writing, which the council was not pleased with.

BUT in the next session he made a very full retraction of his errors, with those of Wicleff and Hufs, which he read aloud and confirmed with an oath. He was sent back to prison, where he met

with better treatment than he had before experienced.

SOME time after new accusations appeared against him, brought by certain Carmelites, who spoke most insolently of the commission which had tried Jerom, for having honestly said, that as he had renounced his errors and submitted, he might regain his liberty. However, Jerom, by his conduct, immediately after saved these informers much trouble and exertion of malice.

A new commission was now appointed for trying him over again, and eleven fresh articles of accusation were preferred against him. One of them, above all others, bore hard on him. It seems, whilst he was at the university of Oxford, he had copied over Wicleff's works, and dispersed these copies through Bohemia. He had, besides, although under excommunication, received the sacrament at Prague, from the hands of the famous Jacobel. He was charged with many violent attacks on the religious, which he did not disavow; such as striking a monk, and obliging another to put off his habit. He was accused of having trampled relics under foot, of encouraging the contempt of indulgences, of exhorting the nobility to

seize the property of the clergy. Jerom also openly avowed, at this critical time, that Hufs was a worthy man, and a good minister.

HE was soon after brought before the council, where these charges were read to him. Some of them he denied, others he owned and cleared up. The patriarch of Constantinople told him, that although he stood convicted of heresy by the strongest proofs, and by witnesses the most respectable, yet he might speak either by way of defence or retractation; but that if he persisted in his errors, he must expect to be treated according to law.

JEROM gladly took this opportunity of speaking, which had been often refused him. He said it was no new thing to see innocence oppressed by calumny, and gave many instances of it in the sacred and prophane writings; such as Elias, Daniel, St. Stephen, Socrates, Seneca; therefore it was not to be wondered at, if he shared the same fate with those great men; but he hoped to meet his accusers before the supreme Judge. He told the council that they had done him grent injustice, in appointing a new commission to try him, after the former one had declared him innocent. That he would not acknowledge

the latter as his judges, but as sitting in the chair of perdition. He then related how he came to Constance: "When I arrived here, I found John Hufs in prison, and I followed the advice of my friends, who urged me to withdraw myself. I then went to the emperor to expostulate with him about the cruel treatment of my friend, and to obtain a passport for myself; which he refused. In my way back to Bohemia, I was arrested and brought to this city in chains. I own it to my shame, the fear of dying in the flames impelled me to renounce the doctrine of Hufs and Wicleff. This I do now solemnly disavow, as the greatest crime I ever committed, and am resolved to adhere to this doctrine to my last breath, for I look upon it to have been as pure as the lives of its authors were holy." He then concluded his speech by the most pointed invectives against the pride, avarice, and sensuality of the pope, cardinals, and clergy.

ON the first day of the next session, he was brought for the last time before the council, which opened by a sermon of the bishop of Lodi. The preacher addressed himself to Jerom, and represented to him

the equitable and indulgent manner in which the council had treated him, although (says he) you are a more dangerous heretic than Arrius, Sabellius, Faustus, or Nestorius; that he had been committed to prison only through form of trial; that no witnesses had been produced against him but persons of undoubted probity; no racks had been used. He had been permitted to see his friends for advice or comfort; and yet, (says the bishop) from this indulgence inconveniencies have arisen. This lenity has added to your insolence. Many charitable persons wished to let you escape as a madman, but the correct and elegant flow of your language prevents them from indulging this supposition. The bishop's discourse at last concluded, by the condemnation of the prisoner. Jerom then got up and confuted every part of it, from beginning to end, with great fire and sense. He said at last that he could not be charged justly with any error, except it was one to expose churchmen for leading scandalous lives. He was then threatened with that kind of death which is denounced against hereticks: to which he answered in those prophetic words, which were afterwards inscribed round a medal, representing him in the

posture of his sufferings at the stake,
 “ Ye are resolved to condemn me unjust-
 “ ly, but after my death there shall be a
 “ sting in your consciences, and a worm
 “ that shall never die :—I appeal to the
 “ searcher of hearts, before whom we
 “ shall stand an hundred years hence.”

THERE are many interesting circumstances of Jerom's behaviour at his trial and execution, which are related by a respectable Italian historian, who was himself present at these transactions. He tells us that he never heard any man who came so near to the irresistible eloquence of the best antients, in his speeches, as Jerom : Such the boldness of his figures, such his strength of reasoning and beauty of diction ! He certainly was one of the best classical scholars of his time, for we find many happy classical allusions in his defence before the council. When the following article was read to him, that he had reviled the pope and cardinals, that he was a persecutor of bishops, and an enemy of all the clergy, Jerom arose, and with the most graceful action, said, “ Whither shall I turn, fathers,
 “ whom shall I call to attest my inno-
 “ cence ! Shall I call you ? But my ene-
 “ mies have poisoned your ears, telling

“ you that I myself am the reviler of my
 “ judges! Or shall I call upon John Hufe?
 “ But I know not whether his departed
 “ spirit, in the seat of bliss, can hear my
 “ voice!” This passage seems to be an
 imitation of the famous apostrophe of
 Caius Gracchus, on the murder of his
 brother, related by Cicero, in his treatise
 de Oratore. *Quo me convertam, capito-*
liumne? At fratris sanguine madet, An
domum? Ut matrem maestam lamentan-
temque videam!

He often confounded his enemies, dur-
 ing the trial, by the best pointed raillery
 and ridicule: Being charged with having
 said, that after consecration the bread re-
 mained bread, Yes, says he, that bread
 which is in the baker's shop. When an
 ignorant dominican accused him of hav-
 ing advanced something heretical, and
 offering to confirm this with an oath, Let
 not the poor man swear, says Jerom, there
 are accusations enough against me, spare
 his soul!

THE same serenity of mind and ele-
 gance of language he preserved at his
 execution. Whilst he walked to the
 stake, he chanted aloud, and with a placid
 countenance, the creed and the church
 hymns: When he came to the place

where Hufs had been executed, he kneeled down and continued some time in silent prayer: Then the executioners pulled off his clothes, and having put a piece of dirty linen about his shoulders, they tied him to the stake, and heaped faggots and straw up to his chin: Notwithstanding Jerom raised his voice and sung the paschal hymn:

*Salve festa dies toto venerabilis ævo,
Qua deus infernum vicit et astra tenens.*

He then addressed himself to the people: " My friends, know this, that I never
" held any other faith but what you have
" now heard me chanting and repeating;
" the cause of my death is only the not
" consenting with those who took away
" Hufs's life; he truly was a *shining and*
" *a burning light!*" One of the executioners then came behind him to kindle the faggots: Come forward, says Jerom, kindle them in my sight: Had I feared this death I could readily have escaped it: Never did Mutius Scevola resign his arm to the fire with more intrepidity than Jerom did his body! Never did Socrates swallow the hemlock with more joy, than Jerom gave up his life in the flames!

IN the following sessions of the council nothing worth notice is to be found but the deposition of the third anti-pope, Benedict XIII. and the election of another pope, called Martin V.

THIS pope shewed as little desire of reformation as any of the former, for the day after his election he set about framing rules for the Roman chancery to proceed on. The emperor and the members of the council ought to have opposed these proceedings at their first rise, for here lay the greatest grievances of princes and bishops. This was the source of all the simony and usurpations of the court of Rome: The council had been called to redress these grievances, among many others, and the sudden application of the new pope to these pecuniary matters shewed plainly all hopes of reformation were at an end. Even the scandalous propositions of John Petit (mentioned in the second chapter) were, through a powerful interest, approved in the council: The parliament of Paris, the university, and archbishop, were compelled to support a doctrine which put the life of every sovereign in Europe in the power of a merciless fanatic.

IN short, all the wise resolutions which were entered into at the opening of the council were overturned by the cabals of Rome. A reformation of the church was to have preceded the election of a pope; but although the council sat four years, this good work never began. At length a pope was elected: It was then too late to think of such matters. The eagle had now taken his flight, and soared far above reach.

THE emperor was certainly, in some things, very blameable, although seemingly he wished for a reformation: He was probably borne down the whole time by a torrent of ecclesiastical influence. There is dignity in the answer which he gave to the deputies of the French nation, who exhorted him to address the pope on this great work.

“BEFORE the election of a pope, I
 “ urged the work of reformation, which
 “ you would never agree to,—nay, by the
 “ intrigues of the council, Martin sits in
 “ the papal chair. As you now have a
 “ pope, apply to *him*; for my part I shall
 “ never be so warm in this affair again.”

END of the ABRIDGEMENT.

A N

A P P E N D I X

O N

MR. O'LEARY.

UPON reading his letters on religion, I found them to be of the same nature as most of the other Roman attacks upon Protestantism, a misrepresentation: In this light they are scarcely worthy of an answer. However, as some persons of consequence of that communion think Mr. O'Leary an able advocate for popery: And as besides, he has endeavoured to defend the fathers of the council of Constance, for the murder of John Huss, I think it proper to add some strictures here on his performances *, so far as they relate to religion.

* The performances here alluded to are a number of letters which Mr. O'Leary published some years ago in the contest which he had with the Reverend

THEY are written in a stile of coarse raillery, or rather buffoonry: There is art in this, for, through the mixture of serious and ludicrous, many false and bitter things are said.—Such is the description of the effects of our reformation from popery, or *the task of overthrowing the kingdom of anti-christ. I see boors headed by fanatical preachers: Taylors paving the way to the throne, over heaps of mangled carcases: Apostles heading armies, and ordering the reformed from the errors of popery, to make a drum of their skins, in order to rouse the Saints to battle.* Can Mr. O'Leary see no good moral effects flowing from our reformation? I will point out to him a very evident one: Anti-christ himself has been amended by it. The popes who at the time of the reformation, and long before it, rivalled the courts of temporal princes in splendour, vice and dissipation, have, since that æra, assumed very different manners: They now live as sober, decent, ecclesiastics: They are as tenacious of the rights of their church, and as eager to

John Wesley. They were inserted in the public prints, and also circulated separately among the Roman catholicks. They may now be bought from the booksellers.

propagate its influence, as ever Hildebrand was, but their private character is generally respectable.

There is a train of sophistry which runs through all these letters. The tenets of the church of Rome are not to be learned from any obscure or private writer, but from the decrees of councils, general and particular, the determinations of her popes, the edicts of her princes, and the constant practice of her members. Now Mr. O'Leary, in lieu of these, give us his own opinions and comments on his religion, garbled as he thinks fit. Thus, he says; *I am far from believing it lawful to violate Faith with Heretics.* And in the second letter, *Let none imagine that I am an Apologist for the fiery * execution of persons on the score of religious opinions.* No matter to us what he believes: The question is, What is the creed of his church?

* I cannot help observing, once for all, the inaccuracy of Mr. O'Leary's stile.—A man who attacks the established church should understand the language it speaks. The context shews, that by *fiery execution*, is meant an execution by fire and faggot; but the true sense of the word *fiery* is totally different from this; for, according to the best dictionaries, it signifies *angry* or *easy to be provoked*. I give only one instance of inaccuracy in O'Leary's writings, but I could produce many more.

And it shall be proved that his church believes it lawful to violate faith with heretics, and to persecute unto death for the sake of religion. All the Apologists for popery use this sophism. They lay what colours they think proper on their religion, and then they ask us, Can there be any thing more reasonable than this faith? And they have this advantage, that few men possess learning or opportunity to compare this flattered copy with the original.

THEIR great champion, Bossuet, in his controversial works, perpetually follows this method. In his famous book, *des variations*, he recommends a religion to us, which is neither purely Protestant, nor Roman. He beats about for ever, sometimes making the papist give up points to the protestant, sometimes the contrary. We Protestants would wish to address him in the words of St. Paul to the Roman governor, *Would to God that you were not only almost but altogether such as I am!* Bossuet had all the advantages of extensive learning, true wit and eloquence. Mr. O'Leary has adopted his sophistry, but wants those other gifts. *Fratrem sequitur, non passibus æquis.*

THERE is another piece of sophistry running through this book of Bossuet's which ought to be noted: It got the name of *Histoire des Variations des Eglises Protestantes*, from his attempt to shew that our religion has undergone so many changes that it cannot be called the true Faith of Christ: Now it is very easy to retort the argument upon the Catholic bishop, by pointing out to him the many and great changes (or variations as he pleases to call them) which the Roman church has undergone at different periods with respect to her fundamental articles, such as transubstantiation, invocation of saints, prayers for the dead, the supremacy of the pope in spirituals and temporals. It may be shewn, (and it shall be shewn in a subsequent work) that in the earliest and purest ages of the church these articles were unknown. That they sprung up and gathered strength from the seventh century through the *secula obscura* down to the reformation. That after the minds of men had been softened and civilized, the Roman doctors invented a new system of popery better adapted to the times, and as different from that of their forefathers as Newton's system is from that of Aristotle: They left the old

names remaining, but the ideas originally affixed to them were totally changed, and new ones were substituted in their stead.

ANOTHER sophistical practice, in consequence of the former, used by Mr. O'Leary and his brethren is, their *warning us from all old books, arsenals of old councils, and obsolete canons, tending to kindle feuds or promote rancour*; that is, they would not have Protestants see the plain truth, which is contained in these records. As the abuses and corruptions of popery began early and increased continually until the reformation, it is very natural for Papists to wish to remove such books out of our sight. But to produce a very apt allusion: Suppose a man is desirous to understand the legal constitution of this kingdom, another tells him, I will explain it to you; but beware of that *musty* book, called the book of statutes: It contains many obsolete laws, which I do not approve. Would not a candid enquirer make the following reply? The edicts of the legislature are the test of your legal constitution; the book of statutes contains them all, pure and unadulterated. The opinions of any individual are of no weight in opposition to

them; therefore, he who removes this book from me must mean to deceive me.

It is true the late practices of the Roman church have not been so enormous as formerly. The temper of mankind is more mild, and the influence of confessors on the princes of the earth is less. But yet the bloody executions of Thorn, and the merciless banishments of Saltzburgh, are fresh in our ears. The inquisition of Spain still subsists, the imprisonments and confiscations of our brethren in France have been often revived within this century. The church of Rome has never given up any of the claims which it has forborne to exercise; and should it once prevail over these nations, it would soon resume its ancient fierceness.

Now, lest Mr. O'Leary should call me *a curious searcher of old books*, I will produce to him a modern authority, but yet a very strong one, for my assertion, that, according to the church of Rome, Faith is not to be kept with Heretics. The most formal declarations that a Papist can make have been, long since the revolution, declared, by the authority of the See of Rome, null and void, whenever they are prejudicial in any manner, and the least degree, (I use the very words of

pope Clement XI. in the case of stipulations made in favour of Protestants) to the Catholic faith, the salvation of souls, or to any rights of the church whatsoever, even though such engagements have been often ratified and confirmed by oath.

CLEMENT XI. pontiff. *Max, Epistolæ, & Brevia, folio, Romæ, Tom 2, page 179.*

OBSERVE upon this: All who are not within the pale of the Roman church are heretics. The church of Rome herself is to determine what is prejudicial to her rights. Now, I think it would be a very useful, (though I fear an arduous task) to determine in what cases the oath of a Papist to a Protestant is binding. I may fairly insist on this, for according to the letter just cited, I see cases innumerable where such an oath is not binding!

*Quæ teneam Vultus mutantem Protea
Nodæ.*

SINCE Mr. O'Leary has mentioned the Lateran council, convened in the year 1215, I must remind him of the third canon of it, wherein all civil powers are ordered to extirpate all heretics, (that is, deniers of the Catholic doctrine) out of their territories; and if any of them refuses, he shall be excommunicated, and his subjects shall be freed from their oath

of allegiance, and their dominions shall be given to better catholics. Nay farther, this council grants to all who shall fight against heretics the same spiritual indulgences as if they fought against infidels. By these means the papists soon effected the destruction of the Albigenses, a blameable sect indeed, on whom Mr. O'Leary pours a torrent of abuse. However, he forgets to tell us that they also destroyed the poor Waldenses, who were much better people than themselves; he has strangely garbled the proceedings of this council. His attempt to bring down the pope's authority, in complaisance to Protestants, is truly ridiculous: Here, as in all other things, let the church of Rome speak for herself: She looks upon the pope as an object of adoration, for immediately after his election the electors worship him at the altar, in the strictest sense of the word **WORSHIP**: "*All power is given unto thee in Heaven and in Earth,*" says a Roman writer to the pope, not many centuries ago*.

THERE is much common place declamation in Mr. O'Leary's account of the

* See Barrow's Treatise on the Infallibility of the Church.

penal statutes against popery. He represents them as persecutions, which is a false notion. The lives and properties of papists were never attacked by our government; nay, their persons and goods are protected by our laws: No murders, confiscations, imprisonments, or sending to the galleys, were ever heard of amongst us. However the wisdom of our ancestors saw, that if the authority in which papists profess an implicit faith commanded their assistance in the most wicked enterprise, the gentlest papist would not refuse it. Therefore it was incumbent on them to defend themselves most watchfully. Hence the penal statutes, terrible in appearance, but extorted by the necessity of the times, and the many and unrepented attacks of those persons against whom they were enacted. When a madman is chained down, the chains are not a punishment for his having lost his senses: They are only intended to prevent him from destroying his fellow-creatures. Let us consider further, how gently these laws have been executed: Papists enjoy the free exercise of their religion amongst us in a degree equal to a toleration: Does France or Spain allow such liberty to Protestants? Protestant clergymen in those

countries are said to preach under the cross: And indeed they may justly be said to bear their cross, when they meet their flocks to pray with them and instruct them. Upon a discovery the punishment of death awaits the teacher, and every person present is liable to imprisonment and confiscation. It is true the papists were cramped by the penal statutes here with regard to property; and no wonder it was so ordered. Property naturally begets power, and they always used their power when opportunity served, in enlarging the borders of their church, and driving protestantism out of the world!

As to Mr. O'Leary's remarks on the proceedings of the council of Constance, with regard to John Hufs, there is nothing new in them. I flatter myself that I have cleared up the affair of the passport: Every impartial person must acknowledge, that there appeared the greatest treachery and cruelty in it: That Hufs went to Constance, confident of safety and a fair trial, the following extract of one of his letters, in Luther's edition of them, plainly shews: *Sic mihi intimavit (scilicet imperator) per Henricum Lesse et per alios quod vellet mihi ordinare*

sufficientem audientiam, et si me non submitterem iudicio quod vellet me saluum dirigere Vice versa.

ONE thing however Mr. O'Leary boldly asserts, that John Hufs attempted to make his escape. This is groundless: he never violated his promise of standing his trial before the council. There is an idle story, related by the Jesuit Maimbourg, which seems to have been invented as an apology for the scandalous behaviour of the emperor. It is this: that Hufs observing himself to be closely watched in his lodging at Constance, attempted an escape; that he was found hiding in a coach, and from thence sent to prison. The date of this attempt is mentioned, March 1415. Now, that this story is groundless, the following reasons will shew: First, the acts of the council, (which I have read with the utmost attention) are silent on this head. Why do they relate the escape of Jerom of Prague so minutely, and not say a word of that of Hufs? But secondly, there is a still stronger proof, amounting to demonstration: It appears from the acts that Hufs was arrested by order of the council the 28th of November 1414. Since that time he never enjoyed any liberty: How then

could he be meditating an escape, *in his lodging*, in March 1415?

Mr. O'LEARY's justification of the council, for the murder of this man, is very extraordinary. The body of the criminal, (says he) is under the controul of the magistrate; erroneous doctrines are under the controul of the spiritual judge; and neither of these jurisdictions will let the other in any manner interfere.

From these, Mr. O'Leary's premises, we may logically infer, that each of these powers, (the civil and ecclesiastical) had a right to a particular part of this man; and hence we find that they soon agreed to divide them amicably in the flames.

BUT let us leave these shadows of reasoning: I recommend it to Mr. O'Leary to peruse the acts of the Diet of Worms, in the ensuing century. Luther was cited to appear before it; and, like poor Huss, went thither under the protection of an emperor's passport. The members of the diet were extremely desirous that the tragedy of the Bohemian martyrs should be acted over again, and used every means to make the emperor, Charles V. play the part of his predecessor Sigismund. But Charles, though

a bitter enemy of the Protestant name, possessed honour and fortitude. He gave them an answer, (which may be seen in the 83^d page of the abridgement) full of wit and indignation; and Luther went home from Worms without a hair of his head been singed.

Mr. O'LEARY tells us, *that in the very city of Rome, where the general council of Lateran was held, Protestants are caressed, and live with ease and comfort.*

It is well known that foreigners contribute much to the support of this capital. It once gave birth to the Fabii and the Scipios, but it may now be looked as a great Inn or place of entertainment; where the religion of travellers is seldom enquired into, for prudential reasons. But yet, let a traveller publish such things at Rome of the Roman religion as Mr. O'Leary has done here of the Protestant, and we may safely affirm that he shall never see his native country again. It would grieve me Mr. O'Leary should endure half the punishment which a Protestant would suffer in such a case. Far be it from me to wish him any thing but more seriousness, sincerity, and love of truth, next time he writes on the Protestant Religion.

Clarissimo in Christo filio nostro Carolo
Hispaniarum Catholico necnon Hun-
gariae & Bohemia, Regi illustri in Ro-
manorum Imperatorem electo.

CLEMENS, P. P. XII.

“ CHARISSIME in Christo fili noster,
Salutem & Apostolicam Benedictionem,
Plurima, & sane fervida, studiaquæ ab He-
terodoxis Principibus indefinenter adhiberi
novimus in Tractationibus Ultrajeeti in-
stitutis, ut quicquid prope finem quarti
Articuli Pacificationis Rysvicensis favore
Catholicorum, & Orthodoxæ Fidei ad-
jectum fuit, penitus abrogetur: Econtra
vero Westphaliæ Pacis Capita ad Reli-
gionis Negotium pertinentia, nedum olim
ab hac sancta sede reprobata, sed & per
ipsum Articulum quartum Rysvicensem
correcta instaurentur, & Executioni De-
mandentur, qua dere non ita pridem Ma-
jestati tuæ fusc perscripsimus, nobis in
Memoriam revocant illas infelices, &
nunquam satis deplorandas pactiones,

quas dudum eodem plane Consilio in-
 ferendi Abominationem in loco Sancto
 Sueci Plenipotentarii, seu Commissarii
 non minus violenter, quam injuste ex-
 presserunt a Plenipotentariis, seu Com-
 missariis clarissimæ Memoniæ Josephi, dum
 viveret, in Romanorum Imperatorem
 electi Germani Fratris tui, quæque Anno
 1707, in Castris Ansfiratenensibus inter
 eosdem utriusque partis Commissarios
 inita fuerunt. Summus profecto Dolor,
 quo tunc affecti fuimus, cum Animo
 reputaremus, præter alia gravissima Ca-
 tholicæ Religioni ac Jurisdictioni Ecclesiæ
 per eas Pactiones illata Detrimenta, insig-
 nem adeo Ecclesiarum numerum tum in
 tribus Ducatibus Lignienti, Brigensi, ac
 Mansterbergensi, tum in ipsa Uratilla-
 vienti Civitate, ac in reliquis etiam Silesiæ
 Principatibus vero Dei Cultu eripi, & au-
 ferri, ac execrandæ sectæ Impietati tradi,
 & assignari, nunc maxime non tantum
 renovatur, sed majorem etiam in modum
 intenditur, ac augetur, ac cum cogitatione
 complectimur, atque prospicimus quan-
 tam inde spem sumpturi sunt Acatholici
 reliquas etiam nefarias eorum Machina-
 tiones atque Consilia perficiendi. Porro
 tametsi compertum habeamus Majestatem
 tuam minime latere quam alieno a me-

moratis pactionibus animo idem Frater
 tuus fuerit: Quantopere doluit, quod
 ob Res suas tunc in Arcto positas ejusmodi
 duras ac plane impias Conditiones accipere
 coactus fuerit: & quo tandem æstuaverit
 Desiderio congruis Remediis, quæ perpe-
 ram æcta fuerant, sarcindi, ac reparandi:
 Quæ omnia ipse literis sua manu exaratis
 diserte nobis significavit, & luculentius
 etiam, ac uberius Filio nostro Hannibali
 sanctæ Romanæ Ecclesiæ Cardinali Alba-
 no nostro secundem Carnem ex fratre
 Nepoti peridem Tempus apud eum agenti
 non semel explicavit: Et quamvis itidem
 ambigere nequaquam possimus, quin
 Majestas tua pro eximia Piate, ac studio,
 quo incensa est, Causæ Dei, veræque Re-
 ligionis, probe intelligat, & agnoscat
 ejusmodi Pactiones prorsus inanes, &
 suapte Natura irritas, ac nullius Roboris,
 vel Momenti existitisse & existere quemad-
 modum eas Germanus frater tuus a nobis
 admonitus palam agnovit, & professus
 fuit: Et propterea etiam perspiciat nul-
 lam prorsus earum habendam esse ratio-
 nem, neque illas aquoqam ~~aliquam~~ aut
 abservari ullo modo posse, nec debere;
 Nihilominus tum ut quæ semper fuerit,
 & ad huc sit nostra ea de Re sententia,
 Majestati tuæ clarius, & apertius inno-

alleg.

tescat, tum etiam ut Apostolico nostro
 iudicio innixa solidius, & alacrius præ-
 dictas Conventiones prorsus contemnere,
 ac ita illas habere possit, tanquam si
 nunquam factæ fuissent: Majestati tuæ
 per presentes denunciamus, ac insinual
 tradita nobis ab Omnipotente Deo Auc-
 toritate Declaramus prænarratas dicti
 Tractatus Attisrantedensis Pactiones, cæ-
 teraque in eo contenta, quæ Catholicæ
 Fidei, Divino Cultui, Animarum Saluti,
 Ecclesiæque Auctoritati, Jurisdictioni, Li-
 bertati, ac Juribus quibuscunque quo-
 modo libet officiunt, siue Præjudicium
 etiam minimum afferunt, aut inferre, seu
 intulisse, vel alias nocere, seu nocuisse
 quoquo modo dici, censeri, pretendi, vel
 intelligi possent, cum omnibus, & singu-
 lis inde secutis, & quondo cunque secutu-
 ris, ipso Jure nulla, irrita, invalida, injusta,
 reprobata, inania, Viribus, & Effectu pe-
 nitus, ac omnino vacua ab ipso initio fuisse,
 & esse, ac perpetuo fore, neminemque ad
 illorum seu cujuslibet eorum ETIAMSI
 PLURIES RATIFICATA AC JU-
 RAMENTO VALLATA SINT,
 observantiam teneri, Imo nec illa, ul-
 latenus a quoquam observari potuisse, ac
 debuisse, aut posse, & debere, neque ex
 illis cuiquam aliquod jus, vel Actionem,

aut Titulum, etiam coloratum, vel possidendi, ac præscribendi Causam, adquisitum, vel acquisitam fuisse, nec esse, minusque ullo Tempore acquiri, & competere posse, neque illa ullum statum facere vel fecisse, sed perinde ac si nunquam emanassent, nec facta fuissent, pro non extantibus, & non factis perpetuo haberi, debere. Et nihilominus ad uberiorem Cautelam, & quatenus opus sit, Pactiones prædictas, aliaque præmissa, ut præfertur, prejudicialia harum serie improbamus, rescindimus, cassamus, irritamus, & annullamus, Viribusque & Effectu penitus, ac omnino vacuumus. Age igitur, Charissime in Christo fili noster, ac Pactionibus hujusmodi penitus rejectis, iisque omnibus, quæ in earum Executionem quovis modo gesta fuerunt rescissis, Ecclesiæ, Religionis, ac Dei Causam fortiter tuere, & ab ejus Patrocinio suscepti tui Regiminis felicia auspicere Primordia. Ostende satis tibi persuasum esse præcipuas tuas partes pro ea, quam obtines, Imperus Majestate non alias esse debere, quam in propagnandis Fidei, & Ecclesiæ Juribus, quæ religiosissimi inclytique Imperatores Majores tui asserere semper, atque amplificare pro Viribus studuerunt. Ita plane perennem tuo Nomini Laudem, & Glo-

riam, ecclesiesque tibi ac tuæ Domini nun-
 queste Benedictiones magis, magisque
 conciliabis; quarum in Auspiciis cum
 perpetuo tuæ felicitatis Voto conjunctionem
 Apostolicam Benedictionem Majestati tuæ
 amantissime impertimur.

Datum Romæ apud sanctum Petrum
 sub Annulo Piscatoris, Die 4. Junii,
 1712, Pontificatus nostri Anno 12.

*[This original letter may be found in the
 library of Trinity College, Dublin.]*

TRANSLATION.

To our most illustrious Son in Christ,
Charles, Catholick King of Spain, also
of Hungary and Bohemia, elected
King of the Romans

CLEMENT XI. Pope,

Our most dearly beloved Son in Christ,
we wish thee Health and apostolical
Benediction:

“ THE many and most earnest endea-
vours which have to our knowledge been
unceasingly used by the heretic Princes at
the treaty of Utrecht, to the intent that
whatever was added towards the end of the
4th article of the treaty of Riswick in favour
of the Catholicks and of the orthodox faith
should be wholly abolished; and on the
contrary, that the articles in the peace of
Westphalia concerning religion, which
were not only long since reprobated by

the Holy See, but even corrected by the 4th article at Ríswick, should be restored and put into execution, on which subject we have lately written at large to your Majesty. These attempts, I say, recal to our mind the unhappy and never enough to be lamented stipulations which lately, with the same purpose of bringing abomination into the Holy Place, the Swedish plenipotentiaries or commissioners not less violently than unjustly extorted from the plenipotentiaries or commissioners of your brother Joseph, of most famous memory, elected King of the Romans, and which, in the year 1707, were agreed upon at the camp of Alt-randstadt, between said commissioners on both parts. Great indeed was our grief at that time, when we reflected (besides the other most heavy injuries accruing to the catholic religion and the jurisdiction of the church from these stipulations) that so vast a number of churches, as well in the three Dutchies of Lignitz, Brieg and Munsterberg, as in the very city of Breslau, and in the other principalities of Silesia, were torn and alienated from the true worship of God, and given up to the impiety of an execrable sect: And this our concern is now not only renewed, but increased

above measure, by the thought and prospect what mighty hopes the enemies of the catholics will thence assume of accomplishing their other nefarious designs and machinations: Moreover, although we are certain that your Majesty is well acquainted with the aversion which your late brother had to these stipulations; how much he grieved that the distressed circumstances in which he found himself involved had obliged him to agree to those hard, nay impious, conditions, and how fervently he wished to apply proper remedies to those things which had been done amiss: All which he clearly signified to us in a letter written with his own hand: But still more clearly and fully told his mind to our son Hannibal Albanus, Cardinal of the Holy Roman Church, our nephew according to the flesh, who then resided at his court: And although besides we cannot have the least doubt that your Majesty, agreeably to that true holiness and zeal which possesses you for the cause of God and of true religion, well knows and understands that such stipulations were and are altogether vain, and of no strength or weight, as your brother, instructed by us, professed and acknowledged.—And therefore, although

your Majesty clearly sees that no regard at all is to be paid to these stipulations, and that they cannot and ought not in anywise to be alledged or observed—Nevertheless, that your Majesty may be more fully and clearly apprized of what always was and still is our opinion of that matter, and likewise that supported by our apostolic decision you may with greater firmness and alacrity the aforesaid stipulations utterly despise and consider as if they had never been made, we denounce to your Majesty by these presents, and by the authority committed to us by Almighty God, do moreover declare that those stipulations of said treaty of Altranstadt, and all other things contained in them which do in anywise hurt the catholic faith, the worship of God, the salvation of souls, the authority, jurisdiction, and liberty of the church, or any of her rights whatsoever, or offer them the least prejudice, or can in any shape be said, thought, pretended or understood to do or to have done them any mischief, with all and every consequence that has or may follow thereupon, to be of right, null, void, invalid, unjust, cancelled, empty, totally destitute of strength and effect from the beginning, and so to

continue for ever—And that no man is bound to the observance of them, or any of them, **ALTHOUGH THEY HAVE BEEN MANY TIMES RATIFIED AND CONFIRMED BY OATH.** Moreover, that these things cannot, nor yet could or ought they in anywise to be observed by any person, nor could any person in time past acquire from them any right or plea, or even colourable pretext for possessing or shewing cause, much less can he derive such right from them in time to come; neither had they nor have they a power to make out any title or state of a case; but as if they had never been published or framed ought for ever to be considered as non-existing. And nevertheless, for the sake of more abundant caution, and as far as it is needful, we condemn, break, render vain, and annul and totally deprive of all power and effect the aforesaid stipulations, and the other prejudicial things contained in that list.

Come on, then, my most dearly beloved son, and after having rejected those stipulations, and rescinded whatever has been done towards the execution of them, bravely defend the cause of the Church, of Religion, and of God—and with the protection of the church begin your auf-

picious reign. Shew the world that you
are fully persuaded it is your chief busi-
ness, agreeably to the greatness of your
Imperial power, to defend the rights of
the faith and of the church which the most
religious and noble Emperors, your an-
cestors, have always studied with their ut-
most ability to assert and to extend. Thus
shall you clearly procure honour and
glory to your name, and the blessings of
Heaven to yourself and your august fa-
mily. As a prelude to which we most
lovingly give you our apostolical bene-
diction; to which we add a constant wish
for your welfare.

Dated at Rome under the Fisherman's
Ring this 4th of June, 1712, in the
12th year of our Pontificate.



F I N I S